

Reserve
KFI
1235
A21
v. 14
no. 15
Apr 13,
1990



JIM EDGAR
Secretary of State

VOLUME 14
ISSUE 15

**A WEEKLY
PUBLICATION**

APRIL 13
1990

Pages 5269-5646

Secretary of State
Administrative Code Div.
201 West Monroe
Springfield, IL 62756

(217) 782-9786

KFI 1235 .A21
v. 14
no. 15
Illinois register
Received on: 04-18-90

IS REGISTER

Rules of Governmental Agencies

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Printed by Authority of the
State of Illinois
April 1990 - 890 - GA-1242

INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1990

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in issue #:	Published on:
Dec. 19, 1989	Dec. 26, 1989	1	Jan. 5, 1990	June 26, 1990	July 3, 1990	28	July 13, 1990
Dec. 26, 1990	Jan. 2, 1990	2	Jan. 12, 1990	July 3, 1990	July 10, 1990	29	July 20, 1990
Jan. 2, 1990	Jan. 9, 1990	3	Jan. 19, 1990	July 10, 1990	July 17, 1990	30	July 27, 1990
Jan. 9, 1990	Jan. 16, 1990	4	Jan. 26, 1990	July 17, 1990	July 24, 1990	31	Aug. 3, 1990
Jan. 16, 1990	Jan. 23, 1990	5	Feb. 2, 1990	July 24, 1990	July 31, 1990	32	Aug. 10, 1990
Jan. 23, 1990	Jan. 30, 1990	6	Feb. 9, 1990	July 31, 1990	Aug. 7, 1990	33	Aug. 17, 1990
Jan. 30, 1990	Feb. 6, 1990	7	Feb. 16, 1990	Aug. 7, 1990	Aug. 14, 1990	34	Aug. 24, 1990
Feb. 6, 1990	Feb. 13, 1990	8	Feb. 23, 1990	Aug. 14, 1990	Aug. 21, 1990	35	Aug. 31, 1990
Feb. 13, 1990	Feb. 20, 1990	9	Mar. 2, 1990	Aug. 21, 1990	Aug. 28, 1990	36	Sept. 7, 1990
Feb. 20, 1990	Feb. 27, 1990	10	Mar. 9, 1990	Aug. 28, 1990	Sept. 4, 1990	37	Sept. 14, 1990
Feb. 27, 1990	Mar. 6, 1990	11	Mar. 16, 1990	Sept. 4, 1990	Sept. 11, 1990	38	Sept. 21, 1990
Mar. 6, 1990	Mar. 13, 1990	12	Mar. 23, 1990	Sept. 11, 1990	Sept. 18, 1990	39	Sept. 28, 1990
Mar. 13, 1990	Mar. 20, 1990	13	Mar. 30, 1990	Sept. 18, 1990	Sept. 25, 1990	40	Oct. 5, 1990
Mar. 20, 1990	Mar. 27, 1990	14	Apr. 6, 1990	Sept. 25, 1990	Oct. 2, 1990	41	Oct. 12, 1990
Mar. 27, 1990	Apr. 3, 1990	15	Apr. 13, 1990	Oct. 2, 1990	Oct. 9, 1990	42	Oct. 19, 1990
Apr. 3, 1990	Apr. 10, 1990	16	Apr. 20, 1990	Oct. 9, 1990	Oct. 16, 1990	43	Oct. 26, 1990
Apr. 10, 1990	Apr. 17, 1990	17	Apr. 27, 1990	Oct. 16, 1990	Oct. 23, 1990	44	Nov. 2, 1990
Apr. 17, 1990	Apr. 24, 1990	18	May 4, 1990	Oct. 23, 1990	Oct. 30, 1990	45	Nov. 9, 1990
Apr. 24, 1990	May 1, 1990	19	May 11, 1990	Oct. 30, 1990	Nov. 5, 1990	46	Nov. 16, 1990
May 1, 1990	May 8, 1990	20	May 18, 1990	Nov. 5, 1990	Nov. 13, 1990	47	Nov. 26, 1990 (Mon.)
May 8, 1990	May 15, 1990	21	May 25, 1990	Nov. 13, 1990	Nov. 20, 1990	48	Nov. 30, 1990
May 15, 1990	May 22, 1990	22	June 1, 1990	Nov. 20, 1990	Nov. 27, 1990	49	Dec. 7, 1990
May 22, 1990	May 29, 1990	23	June 8, 1990	Nov. 27, 1990	Dec. 4, 1990	50	Dec. 14, 1990
May 29, 1990	June 5, 1990	24	June 15, 1990	Dec. 4, 1990	Dec. 11, 1990	51	Dec. 21, 1990
June 5, 1990	June 12, 1990	25	June 22, 1990	Dec. 11, 1990	Dec. 18, 1990	52	Dec. 28, 1990
June 12, 1990	June 19, 1990	26	June 29, 1990	Dec. 18, 1990	Dec. 24, 1990	1	Jan. 4, 1991
June 19, 1990	June 26, 1990	27	July 6, 1990	Dec. 24, 1990	Dec. 31, 1990	2	Jan. 11, 1991

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: Pay Plan2) The Code Citation: 80 Ill. Adm. Code 3103) Section Number: Proposed Action:

310.110	Amended
310.130	Amended
310.290	Amended
310.300	Amended
310.450	Amended
310.456	Amended
310.530	Amended
310.540	Amended
310. App. A Table D	Amended
310. App. A Table E	Amended
310. App. A Table F	Amended
310. Appendix B	Amended
310. Appendix C	Amended
310. Appendix D	Amended

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 127, par. 63b108a(2)5) A Complete Description of the Subjects and Issues Involved:

These amendments reflect the Fiscal Year 1991 changes affecting the Out-of-State or Foreign Service Rates, Schedule of Salary Grades, Physician Administrator and Medical Facilities Administrator Rates, and the Merit Compensation System Salary Schedules.

In Sections 310.110, 310.130 and 310.530, the dates are being updated to reflect the new fiscal year.

In Section 310.290, the ranges of the Out-of-State or Foreign Service Rates are being raised to maintain the current differentials above in-state rates, with 4.5% increases.

In Section 310.300, the section heading is being changed from "Education Rate" to "Educator Schedule for RC-063 and HR-010". Other changes reflect deleting the reference to the abolished title of Rehabilitation Teacher and inserting reference to Table T (RC-063) schedule for the Educator that would be subject to the RC-063 Collective Bargaining Unit.

In Section 310.450, Procedures for Determining Annual Merit Increase, the changes are in reference to the revision in the categorizing within the Annual Merit Increase Guidechart of Section 310.540.

In Section 310.456, Merit Zone, the Category 1 definition of the Annual Merit Increase Guidechart of Section 310.540 is being changed from "Significantly Surpasses Objectives" to "Superior".

In Section 310.540, the Annual Merit Increase Guidechart for Fiscal Year 1991 is being revised to include an additional category with changes in the definitions and allowable increases.

In Section 310. Tables D, E and F, the Teamsters' rates are being increased \$120.00 for Fiscal Year 1991 with the exception of the Power Shovel Operator (Maintenance) and Silk Screen Operator titles which are being increased by \$170.00.

In Section 310. Appendixes B, C and D, the schedules for the Salary Grades, Physician Administrator and Medical Facilities Administrator, and merit compensation are being increased by 4.5% so as to receive the same rate increase already negotiated for most of the collective bargaining units. The "Merit Pay Zone Limit" rates of pay in the Merit Compensation System Salary Schedule (Appendix D) is being increased to maintain the 5% differential above the "Maximum Salary" rates of pay.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes X No
If "yes", please specify date:8) Do these proposed amendments contain any incorporations by reference?

No

9) Are there any proposed amendments pending to this part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310. App. A, Table G	Amended	14 Ill. Reg. 427 (January 12, 1990)
310. App. A, Table K	Amended	14 Ill. Reg. 427 (January 12, 1990)
310. App. A, Table T	Amended	14 Ill. Reg. 427 (January 12, 1990)

NOTICE OF PROPOSED AMENDMENTS

10) Statement of Statewide Objectives:

These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
Telephone: (217) 782-5601

12) Initial Regulatory Flexibility Analysis:A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

The Department of Central Management Services' Pay Plan does not affect private businesses. Amendments made to the Pay Plan are not subject to any guidelines or regulations of the Department of Commerce and Community Affairs.

B) Types of small businesses affected:

None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

C) Reporting, bookkeeping or other procedures required for compliance:

None

D) Types of professional skills necessary for compliance:

None

The full text of the proposed Rule(s) begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes, Effective July 1, 1989
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Rate Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

SUBPART C: MERIT COMPENSATION SYSTEM

Section	Jurisdiction
310.410	Objectives
310.420	Responsibilities
310.430	Merit Compensation Salary Schedule
310.440	Procedures for Determining Annual Merit Increases
310.450	Intermittent Merit Increase
310.455	Merit Zone
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1990 1991
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

APPENDIX A	Negotiated Rates of Pay
TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSQME)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, ISEA)
TABLE H	RC-006 (Corrections Employees, AFSQME)
TABLE I	RC-009 (Institutional Employees, AFSQME)
TABLE J	RC-014 (Clerical Employees, AFSQME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	VR-004 (Illinois State Treasurer's Office Employees, Teamsters and IFT)
TABLE M	RC-027 (Educators, AFSQME) (Repealed)
TABLE N	RC-027 (Physician Rates, AFSQME) (Repealed)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSQME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, ISEA)
TABLE Q	RC-033 (Meat Inspectors, ISEA)
TABLE R	RC-042 (Residual Maintenance Workers, AFSQME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSQME)
TABLE X	RC-063 (Professional Employees, AFSQME)
TABLE Y	RC-063 (Educators, AFSQME)
TABLE Z	RC-063 (Physicians, AFSQME)
APPENDIX B	Schedule of Salary Grades - Monthly and Annual Rates of Pay for Fiscal Year 1990 1991
APPENDIX C	Physician Administrator Rates and Medical Facilities Administrator Rates for Fiscal Year 1990 1991
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1990 1991
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)

AUTHORITY: Implementing and authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1987, ch. 127, par. 63b108a(2)).

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; emergency amendment at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective June 30, 1989, for a maximum of 150 days; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19921, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. _____, effective _____.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310.110 Implementation of Pay Plan Changes, Effective July 1, 1989 1990

Effective July 1, 1989 1990, the rates of pay for all employees occupying positions subject to the Schedule of Salary Grades shall be as set out in Appendix B, Schedule of Salary Grades -- Monthly and Annual Rates of Pay for Fiscal Year 1990 1991.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310.130 Effective Date

The effective date of this Pay Plan Narrative (Subpart A), Schedule of Rates (Subpart B), and Schedule of Salary Grades (Appendix B), shall be July 1, 1989 1990.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310.290 Out-of-State or Foreign Service Rate

The rate of pay for employees occupying positions which require payment in accordance with the economic conditions and social legislation of another state or foreign country. An adjustment may be made to the salary of an employee stationed in a foreign country to compensate for a change in the currency exchange rate. The Director of the Department of Central Management Services will, before approving an adjustment, consider the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

Title	Effective Fiscal Year 1990 1991	Range
Account-Technician-I		
(GH-FX)		\$1664---2096
(GA-NJ)		\$1881---2370
Accounting and Fiscal Administration Career Trainee		
(OO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH,		\$1889---2417
TN, TX and WI)		\$1975 - 2527
(CA, NJ)		\$2136---2733
		\$2232 - 2856

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Foreign Service Economic Development Executive I	\$2521---4365 \$2634 - 4561
Foreign Service Economic Development Executive II	\$3268---5740 \$3415 - 5998
Foreign Service Economic Development Representative	\$2170---3630 \$2268 - 3793
Office Assistant (Foreign Service)	\$1498---2057 \$1566 - 1934
Office Associate (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	\$1603---2010 \$1676 - 2101
(CA, NJ)	\$1812---2272 \$1894 - 2375
Office Coordinator (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	\$1664---2096 \$1739 - 2191
(CA, NJ)	\$1881---2370 \$1966 - 2477
Revenue Audit Supervisor (OH, TX)	\$2869---5057 \$2997 - 5284
(CA, NJ)	\$2869---5716 \$3388 - 5974
Revenue Auditor I (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	\$2267---2966 \$2369 - 3099
(CA, NJ)	\$2562---3353 \$2678 - 3504
Revenue Auditor II (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	\$2597---3298 \$2620 - 3447
(CA, NJ)	\$2834---3728 \$2961 - 3896

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Revenue Auditor III (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	\$2793---3708 \$2919 - 3874
(CA, NJ)	\$3158---4686 \$3299 - 4897
Revenue Assistant Audit Field Manager (OH, TX)	\$3044---5411 \$3182 - 5655
(CA, NJ)	\$3441---6117 \$3597 - 6392
Revenue Field Audit Manager (NJ)	\$3674---6544 \$3840 - 6839
Tax Examiner (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	\$1664---2096 \$1739 - 2191
(CA, NJ)	\$1881---2370 \$1966 - 2477
Tax Examiner Trainee (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	\$1498---2057 \$1566 - 1934
(CA, NJ)	\$1694---2893 \$1771 - 2187

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310.300 Educational Rate Schedule for RC-063 and HR-010

The rates of pay for employees occupying or appointed to an Educator or a Rehabilitation Teacher position shall be as determined in the following paragraphs of this Section and as shown in Appendix A, Table T and Table Y, of this Part.

- Selection of the appropriate salary schedule shall be based on the institutional school year.
- Selection of the appropriate salary lane will be based on application of subsection (a) above, and the level of academic status attained by the incumbent that relates to the educational

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programs of the employing agency. All hours beyond bachelor's level must be approved by the employing agency as applicable to their programs.

- c) All provisions of Subpart A of this Part, with the exception of Section 310.100, shall apply to incumbents of the Educator or ~~Rehabilitation-Teacher~~ positions.

- d) Upon furnishing evidence of the satisfactory completion of required course work, the employee shall be advanced in pay to the same numbered step in the appropriate salary lane. Such increases in the rate of pay shall be effective on the first day of the pay period following approval.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310.450 Procedures for Determining Annual Merit Increases

- a) An annual merit increase is an in-range salary adjustment for demonstrated performance.

- b) Eligibility for an annual merit increase shall be determined by the following conditions:

- 1) Each employee will be eligible for a merit review after attaining 12 months creditable service. The employee's immediate supervisor shall prepare an Individual Development and Performance Evaluation form prior to the Performance Review Date, and discuss the results with the employee.
- 2) Should the Individual Development and Performance review result in the employee not being eligible for an annual merit increase due to provisions of Section 310.450(d), or should the employee's base rate be at the maximum rate of pay of the salary range assigned to the employee's position, the employee will not be eligible for an annual merit increase until 12 months of additional creditable service has been accrued.

- c) Based upon the results of the Individual Development and Performance evaluation, the employees' immediate supervisor shall determine whether the employee's performance warrants or does not warrant an annual merit increase.

- d) The amount of an annual merit increase recommendation shall be determined by use of the Merit Increase Guidechart of Section 310.540 if the employee's Individual Development and Performance

Evaluation has on the Performance Review Date been evaluated at a Category-3 Category 4 or higher level. An employee whose Individual Development and Performance Evaluation has, on the Performance Review Date been evaluated at Category-4 Category 5 shall not receive an increase in the present base salary. However, in no event is the resulting salary to be lower than the minimum or higher than the maximum rate of pay of the respective salary range assigned to the employee's position.

- e) The employee's immediate supervisor shall prepare a Performance Certification and Salary Increase Recommendation form, indicating whether or not the employee is eligible for an annual merit increase and the amount thereof.

- f) The employee's immediate supervisor shall forward the Individual Development and Performance Evaluation records and Performance Certification and Salary Increase Recommendation records to the agency head or a designated authority for review and approval.

- g) Annual merit increases in pay shall become effective the first day of the month in which the employee's Performance Review Date occurs.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310.456 Merit Zone

- a) The salary ranges shall be extended, as set forth in Appendix D of the Pay Plan to provide additional salary potential for employees near their normal maximum rates.

- b) Employees' salaries may be advanced into the Merit Zone only by an annual rating of "Significantly-Surpasses-Objectives" "Superior" or by an Intermittent Merit Increase.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310.530 Implementation

- a) The salary schedule for the Merit Compensation System for Fiscal Year 1999 1991 is increased and set forth in Appendix D of the Pay Plan.

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- b) The Merit Increase Guidechart for Fiscal Year 1990 1991 is as set forth in Section 310.540 of the Pay Plan.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310.540 Annual Merit Increase Guidechart for Fiscal Year 1990 1991

Category	Definition	Allowable Increase
Category-1	Significantly-Surpasses objectives	5---8%
Category-2	Fully-accomplishes objectives	2---5%
Category-3	Marginally-accomplishes objectives	0---2%
Category-4	Unacceptable-accomplishment of-objectives	0%
Category 1	Superior	8 - 10%
Category 2	Exceeds Expectations	6 - 8%
Category 3	Meets Expectations	4.5 - 6%
Category 4	Needs Improvement	0 - 4.5%
Category 5	Unacceptable	0%

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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Section 310.APPENDIX A Negotiated Rates of Pay

Section 310.TABLE D HR-001 (Teamsters Local #726)

- A) Department of Transportation - Division of Highways - Emergency Patrol - Northeast Region - (Cook)

	July-1,-1989	July 1, 1990
	Mo.-----Hr.-----	Mo.-----Hr.-----
Highway Maintainer	\$2633--\$15-13	\$2753 \$15.82
Highway Maintenance Lead Worker	2762---15-87	2882 16.56
Maintenance Worker	2577---14-81	2697 15.50

- B) Department of Transportation - Division of Highways - Northeast Region - (Cook)

	July-1,-1989	July 1, 1990
	Mo.-----Hr.-----	Mo.-----Hr.-----
Heavy Construction Equipment Operator	\$2657--\$15-27	\$2777 \$15.96

Highway Maintainer	2558---14-70	2678 15.39
Highway Maintenance Laborer	---	---
Highway Maintenance Lead Worker	2687---15-44	2807 16.13
Highway Maintenance Lead Worker (Lead Lead Worker)	2737---15-73	2857 16.42
Laborer (Maintenance)	2466---14-17	2586 14.86
Maintenance Worker	2502---14-38	2622 15.07

- C) Department of Public Health - Northeast Region - (Cook)

	July-1,-1989	July 1, 1990
	Mo.-----Hr.-----	Mo.-----Hr.-----
Maintenance Equipment Operator	\$2558--\$14-70	\$2678 \$15.39
Maintenance Worker	2411---13-86	2531 14.55

- D) Department of Mental Health & Developmental Disabilities, Northeast Region - (Cook)

	July-1,-1989	July 1, 1990
	Mo.-----Hr.-----	Mo.-----Hr.-----
Grounds Lead Worker	\$ --- \$ ---	\$ --- \$ ---
Maintenance Equipment Operator	2558---14-70	2678 15.39
Maintenance Worker	2411---13-86	2531 14.55

- E) Departments of Children & Family Services, Employment Security, and Public Aid -- Northeast Region - (Cook)

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	July 1, 1989	July 1, 1990
	Mo. Hr.	Mo. Hr.
Maintenance Equipment Operator	\$2558--\$14:40	\$2678 \$15.39

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310. TABLE E RC-020 (Teamsters Local #330)

- A) Departments of Children & Family Services, Corrections, Employment Security, Mental Health & Developmental Disabilities - (Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

	July 1, 1989	July 1, 1990
	Mo. Hr.	Mo. Hr.
Maintenance Equipment Operator	\$2558--\$14:40	\$2678 \$15.39

- B) Department of Transportation - Division of Highways - (Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

	July 1, 1989	July 1, 1990
	Mo. Hr.	Mo. Hr.
Bridge Mechanic	\$2591--\$14:49	\$2771 \$15.58
Bridge Tender	2390--\$13:74	2510 14.43
Highway Maintainer	2558--\$14:40	2678 15.39
Highway Maintenance Lead Worker	2687--\$15:44	2807 16.13
Janitor I	2265--\$13:02	2385 13.71
Janitor II	2296--\$13:20	2416 13.89
Labor Maintenance Lead Worker	2522--\$14:49	2642 15.18
Laborer (Maintenance)	2466--\$14:17	2586 14.86
Maintenance Worker	2502--\$14:38	2622 15.07
Power Shovel Operator (Maintenance)	2558--\$14:40	2728 15.68
Security Guard I	2292--\$13:17	2412 13.86
Security Guard II	2340--\$13:45	2460 14.14
Silk Screen Operator	2612--\$15:01	2782 15.99

- C) Department of Central Management Services - Division of Vehicles - (Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

	July 1, 1989	July 1, 1990
	Mo. Hr.	Mo. Hr.
Janitor I	\$2265--\$13:02	\$2385 \$13.71
Janitor II	2296--\$13:20	2416 13.89
Maintenance Equipment Operator (all divisions)	2558--\$14:40	2678 15.39

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	2502--\$14:38	2622 15.07
Maintenance Worker		
Security Guard I	2292--\$13:17	2412 13.86
Security Guard II	2340--\$13:45	2460 14.14

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310. TABLE F RC-019 (Teamsters Local #25)

- A) Department of Transportation - Division of Highways - Downstate - (All Counties Other Than Cook, DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

	July 1, 1989	July 1, 1990
	Mo. Hr.	Mo. Hr.
Bridge Tender	\$2390--\$13:74	\$2510 \$14.43
Deck Hand	2363--\$13:58	2483 14.27
Ferry Operator I	2588--\$14:47	2708 15.56
Ferry Operator II	2638--\$15:16	2758 15.85
Highway Maintainer	2558--\$14:40	2708 15.56
Highway Maintenance Lead Worker	2687--\$15:44	2807 16.13
Janitor I	2265--\$13:02	2385 13.71
(including Office of Administration)		
Janitor II	2296--\$13:20	2416 13.89
(including Office of Administration)		
Laborer (Maintenance)	2466--\$14:17	2586 14.86
Labor Maintenance Lead Worker	2522--\$14:49	2642 15.18
Maintenance Worker	2502--\$14:38	2622 15.07
(including Office of Administration)		
Power Shovel Operator (Maintenance)	2558--\$14:40	2728 15.68
Security Guard I	2292--\$13:17	2412 13.86
(including Office of Administration)		
Security Guard II	2340--\$13:45	2460 14.14
(including Office of Administration)		
Silk Screen Operator	2612--\$15:01	2782 15.99

- B) Department of Central Management Services - Division of Vehicles - Downstate - (All Counties Other Than Cook, DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

	July 1, 1989	July 1, 1990
	Mo. Hr.	Mo. Hr.
Janitor I	\$2265--\$13:02	\$2385 \$13.71
Janitor II	2296--\$13:20	2416 13.89
Maintenance Worker	2502--\$14:38	2622 15.07
Maintenance Equipment Operator (all divisions)	2558--\$14:40	2678 15.39

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- C) Department of Mental Health & Developmental Disabilities - Lincoln Developmental Center
- | | | | |
|-------------------|-------------|------|-------|
| Security Guard I | 2292--13-17 | 2412 | 13.86 |
| Security Guard II | 2340--13-45 | 2460 | 14.14 |
- D) Departments of Children & Family Services, Corrections, Employment Security, State Police, Mental Health & Developmental Disabilities, Public Aid, Veterans' Affairs - Downstate - (All Counties Other Than Cook, DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)
- | | | |
|-----------------------|-------------------------|------------------------|
| Laborer (Maintenance) | July-17-1989 | July 1, 1990 |
| | Mo. Hr. \$2466--\$14.17 | Mo. Hr. \$2586 \$14.86 |
- E) Department of Transportation - Division of Highways - Emergency Patrol - District #8
- | | | |
|--------------------------------|-------------------------|------------------------|
| Maintenance Equipment Operator | July-17-1989 | July 1, 1990 |
| | Mo. Hr. \$2558--\$14.79 | Mo. Hr. \$2678 \$15.39 |
- F) Department of Conservation
- | | | |
|-------------------------------------|-------------------------|------------------------|
| Power Shovel Operator (Maintenance) | July-17-1989 | July 1, 1990 |
| | Mo. Hr. \$2633--\$15.13 | Mo. Hr. \$2753 \$15.82 |
- (Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310. Appendix B Schedule of Salary Grades -- Monthly and Annual Rates of Pay for Fiscal Year 1991

Grade	Minimum Maximum						
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
-1-----	1,120	1,154	1,186	1,219	1,258	1,291	1,352
-2-----	1,348	1,382	1,414	1,448	1,487	1,526	1,594

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- 2-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,154 | 1,186 | 1,219 | 1,260 | 1,296 | 1,331 | 1,394 |
| 13,848 | 14,232 | 14,628 | 15,120 | 15,552 | 15,972 | 16,728 |
- 3-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,186 | 1,219 | 1,261 | 1,299 | 1,335 | 1,374 | 1,444 |
| 14,232 | 14,628 | 15,132 | 15,588 | 16,020 | 16,488 | 17,328 |
- 4-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,219 | 1,261 | 1,301 | 1,339 | 1,383 | 1,422 | 1,495 |
| 14,628 | 15,132 | 15,612 | 16,068 | 16,596 | 17,064 | 17,940 |
- 5-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,261 | 1,303 | 1,346 | 1,389 | 1,431 | 1,473 | 1,546 |
| 15,132 | 15,636 | 16,152 | 16,668 | 17,172 | 17,676 | 18,552 |
- 6-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,303 | 1,347 | 1,391 | 1,437 | 1,483 | 1,531 | 1,610 |
| 15,636 | 16,164 | 16,692 | 17,244 | 17,796 | 18,372 | 19,320 |
- 7-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,347 | 1,394 | 1,442 | 1,492 | 1,541 | 1,591 | 1,677 |
| 16,164 | 16,728 | 17,304 | 17,904 | 18,492 | 19,092 | 20,124 |
- 8-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,394 | 1,447 | 1,499 | 1,555 | 1,606 | 1,660 | 1,748 |
| 16,728 | 17,364 | 17,988 | 18,660 | 19,272 | 19,920 | 20,976 |
- 9-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,447 | 1,501 | 1,560 | 1,615 | 1,676 | 1,734 | 1,823 |
| 17,364 | 18,012 | 18,720 | 19,380 | 20,112 | 20,808 | 21,876 |
- 10-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,503 | 1,567 | 1,625 | 1,687 | 1,746 | 1,810 | 1,909 |
| 18,036 | 18,804 | 19,500 | 20,244 | 20,952 | 21,720 | 22,908 |
- 11-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,568 | 1,634 | 1,695 | 1,764 | 1,829 | 1,892 | 1,997 |
| 18,816 | 19,608 | 20,340 | 21,168 | 21,948 | 22,704 | 23,964 |
- 12-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,643 | 1,712 | 1,778 | 1,851 | 1,919 | 1,990 | 2,102 |
| 19,716 | 20,544 | 21,336 | 22,212 | 23,028 | 23,880 | 25,224 |
- 13-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,714 | 1,787 | 1,863 | 1,938 | 2,012 | 2,089 | 2,208 |
| 20,568 | 21,444 | 22,356 | 23,256 | 24,144 | 25,068 | 26,496 |
- 14-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,797 | 1,876 | 1,954 | 2,041 | 2,120 | 2,201 | 2,328 |
| 21,564 | 22,512 | 23,448 | 24,492 | 25,440 | 26,412 | 27,936 |
- 15-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,877 | 1,965 | 2,049 | 2,133 | 2,221 | 2,304 | 2,441 |
| 22,524 | 23,580 | 24,588 | 25,596 | 26,652 | 27,648 | 29,292 |
- 16-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 1,971 | 2,063 | 2,158 | 2,247 | 2,341 | 2,434 | 2,579 |
| 23,552 | 24,756 | 25,896 | 26,964 | 28,092 | 29,208 | 30,948 |
- 17-----
- | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|
| 2,069 | 2,167 | 2,268 | 2,363 | 2,459 | 2,559 | 2,712 |
| 24,828 | 26,004 | 27,216 | 28,356 | 29,508 | 30,708 | 32,544 |

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-18-	2,180	2,286	2,392	2,500	2,604	2,707	2,868
	26,160	27,432	28,704	30,000	31,248	32,484	34,416
-19-	2,299	2,415	2,529	2,645	2,757	2,873	3,047
	27,588	28,980	30,348	31,740	33,084	34,476	36,564
-20-	2,429	2,550	2,670	2,797	2,918	3,037	3,224
	29,148	30,600	32,040	33,564	35,016	36,444	38,688
-21-	2,565	2,697	2,827	2,958	3,093	3,221	3,422
	30,780	32,364	33,924	35,496	37,116	38,682	41,064
-22-	2,711	2,852	2,992	3,132	3,277	3,414	3,626
	32,532	34,224	35,904	37,584	39,324	40,968	43,512
-23-	2,876	3,029	3,183	3,334	3,487	3,639	3,868
	34,512	36,348	38,196	40,068	41,844	43,668	46,416
1	1,170	1,206	1,239	1,274	1,315	1,349	1,413
	14,040	14,472	14,868	15,288	15,780	16,188	16,936
2	1,206	1,239	1,274	1,317	1,354	1,391	1,457
	14,472	14,868	15,288	15,804	16,248	16,692	17,484
3	1,239	1,274	1,318	1,357	1,395	1,436	1,509
	14,868	15,288	15,816	16,284	16,740	17,232	18,108
4	1,274	1,318	1,360	1,399	1,445	1,486	1,562
	15,288	15,816	16,320	16,788	17,340	17,832	18,744
5	1,318	1,362	1,407	1,452	1,495	1,539	1,616
	15,816	16,344	16,884	17,424	17,940	18,468	19,392
6	1,362	1,408	1,454	1,502	1,550	1,600	1,682
	16,344	16,896	17,448	18,024	18,600	19,200	20,184
7	1,408	1,457	1,507	1,559	1,610	1,663	1,752
	16,896	17,484	18,084	18,708	19,320	19,956	21,024
8	1,457	1,512	1,566	1,625	1,678	1,735	1,827
	17,484	18,144	18,792	19,500	20,136	20,820	21,924
9	1,512	1,569	1,630	1,688	1,751	1,812	1,905
	18,144	18,828	19,560	20,256	21,012	21,744	22,860
10	1,571	1,638	1,698	1,763	1,825	1,891	1,995
	18,852	19,656	20,376	21,156	21,900	22,692	23,940

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11	1,639	1,708	1,771	1,843	1,911	1,977	2,087
	19,668	20,496	21,252	22,116	22,932	23,724	25,044
12	1,717	1,789	1,858	1,934	2,005	2,080	2,197
	20,604	21,468	22,296	23,208	24,060	24,960	26,364
13	1,791	1,867	1,947	2,025	2,103	2,183	2,307
	21,492	22,404	23,364	24,300	25,236	26,196	27,684
14	1,878	1,960	2,042	2,133	2,215	2,300	2,433
	22,536	23,520	24,504	25,596	26,580	27,600	29,196
15	1,961	2,053	2,141	2,229	2,321	2,408	2,551
	23,532	24,636	25,692	26,748	27,852	28,896	30,612
16	2,060	2,156	2,255	2,348	2,446	2,544	2,695
	24,720	25,872	27,060	28,176	29,352	30,528	32,340
17	2,162	2,265	2,370	2,469	2,570	2,674	2,834
	25,944	27,180	28,440	29,628	30,840	32,088	34,008
18	2,278	2,389	2,500	2,613	2,721	2,829	2,997
	27,336	28,668	30,000	31,356	32,652	33,948	35,964
19	2,402	2,524	2,643	2,764	2,881	3,002	3,184
	28,824	30,288	31,716	33,168	34,572	36,024	38,208
20	2,538	2,665	2,790	2,923	3,049	3,174	3,369
	30,456	31,980	33,480	35,076	36,588	38,088	40,428
21	2,680	2,818	2,954	3,091	3,232	3,366	3,576
	32,160	33,816	35,448	37,092	38,784	40,392	42,912
22	2,833	2,980	3,127	3,273	3,424	3,568	3,789
	33,996	35,760	37,524	39,276	41,088	42,816	45,468
23	3,005	3,165	3,326	3,484	3,644	3,803	4,042
	36,060	37,980	39,912	41,808	43,728	45,636	48,504

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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Section 310. Appendix C - Physician Administrator Rates and Medical Facilities Administrator Rates for Fiscal Year 1990 1991

Title	Minimum Salary	Midpoint Salary	Maximum Salary
Medical-Facilities-Adminis- trator-I-Option-C	5,708	6,862	8,016
Medical-Facilities-Adminis- trator-I-Option-D	68,496	82,344	96,192
Medical-Facilities-Adminis- trator-I-Option-E	6,375	7,558	8,741
Medical-Facilities-Adminis- trator-II-Option-C	6,167	7,340	8,513
Medical-Facilities-Adminis- trator-II-Option-D	74,004	88,080	102,156
Medical-Facilities-Adminis- trator-II-Option-E	7,083	8,302	9,521
Medical-Facilities-Adminis- trator-III	84,996	99,624	114,252
Medical-Facilities-Adminis- trator-IV	7,324	8,558	9,782
Medical-Facilities-Adminis- trator-V	88,008	102,696	117,384
Physician-Administrator-I	4,508	5,532	6,556
Physician-Administrator-II	54,096	66,384	78,672
Physician-Administrator-III	4,628	5,679	6,730
Physician-Administrator-IV	55,536	68,148	80,760
Physician-Administrator-V	4,752	5,832	6,912
Physician-Administrator-VI	57,024	69,984	82,944
Physician-Administrator-VII	5,000	6,049	7,098
Physician-Administrator-VIII	60,000	72,588	85,176
Physician-Administrator-IX	5,309	6,249	7,189
Physician-Administrator-X	63,708	74,988	86,268
Medical Facilities Adminis- trator I Option C	5,965	7,171	8,377
Medical Facilities Adminis- trator I Option D	6,662	7,898	9,134
Medical Facilities Adminis- trator II Option C	79,944	94,776	109,608
Medical Facilities Adminis- trator II Option D	6,446	7,671	8,896
Medical Facilities Adminis- trator II Option E	77,352	92,052	106,752

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Medical Facilities Adminis- trator II Option D	7,403	8,676	9,949
	88,836	104,112	119,388
Medical Facilities Adminis- trator III	7,664	8,943	10,222
	91,968	107,316	122,664
Physician Administrator I	4,711	5,781	6,851
	56,532	69,372	82,212
Physician Administrator II	4,837	5,935	7,033
	58,044	71,220	84,396
Physician Administrator III	4,967	6,095	7,223
	59,604	73,140	86,676
Physician Administrator IV	5,225	6,321	7,417
	62,700	75,852	89,004
Physician Administrator V	5,549	6,531	7,513
	66,588	78,372	90,156

The rates of pay for physicians occupying or appointed to a position in the Physician Administrator classes and the Medical Facilities Administrator classes shall be as listed in the above schedule. All provisions of Subpart C of the Pay Plan, Merit Compensation System will apply to Physician Administrator positions and the Medical Facilities Administrator classes.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 310. Appendix D - Merit Compensation System Salary Schedule for Fiscal Year 1990 1991

Salary Range	Minimum Salary	Midpoint Salary	Maximum Salary	Merit Pay Zone Limit
MG-1	\$1,511	\$1,926	\$2,341	\$2,458
	18,132	23,112	28,092	29,496
MG-2	1,577	2,024	2,471	2,595
	18,924	24,288	29,652	31,140
MG-3	1,653	2,141	2,629	2,760
	19,836	25,692	31,548	33,120
MG-4	1,728	2,240	2,752	2,890
	20,736	26,880	33,024	34,680

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MG-5	1,813	2,370	3,927	3,073
	21,756	28,440	35,124	36,876
MG-6	1,904	2,490	3,076	3,230
	22,848	29,880	36,912	38,760
MG-7	2,006	2,641	3,276	3,440
	24,072	31,692	39,312	41,280
MG-8	2,115	2,801	3,487	3,661
	25,380	33,612	41,844	43,932
MG-9	2,235	2,956	3,677	3,861
	26,820	35,472	44,124	46,332
MG-10	2,360	3,148	3,936	4,133
	28,320	37,776	47,232	49,596
MG-11	2,494	3,341	4,188	4,397
	29,928	40,092	50,256	52,764
MG-12	2,647	3,564	4,481	4,705
	31,764	42,768	53,772	56,460
MG-13	2,826	3,810	4,794	5,034
	33,912	45,720	57,528	60,408
MG-14	3,024	4,091	5,158	5,416
	36,288	49,692	63,896	66,992
MG-15	3,245	4,385	5,525	5,801
	38,940	52,160	66,300	69,612
MG-16	3,475	4,712	5,949	6,246
	41,700	56,544	71,388	74,952
MG-17	3,749	5,086	6,423	6,744
	44,988	61,032	77,076	80,928
MG-18	4,041	5,514	6,987	7,368
	48,492	63,768	79,044	82,992
MG-19	4,365	5,952	7,539	7,976
	52,380	66,624	80,868	84,912
MC 1	\$ 1,580	2,013	2,446	2,568
	18,960	24,156	29,352	30,816

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MC 2	1,648	2,115	2,582	2,711
	19,776	25,380	30,984	32,532
MC 3	1,727	2,237	2,747	2,884
	20,724	26,844	32,964	34,608
MC 4	1,806	2,341	2,876	3,020
	21,672	28,092	34,512	36,240
MC 5	1,895	2,477	3,059	3,212
	22,740	29,724	36,708	38,544
MC 6	1,990	2,602	3,214	3,375
	23,880	31,224	38,568	40,500
MC 7	2,097	2,760	3,423	3,594
	25,164	33,120	41,076	43,128
MC 8	2,210	2,927	3,644	3,826
	26,520	35,124	43,728	45,912
MC 9	2,336	3,089	3,842	4,034
	28,032	37,068	46,104	48,408
MC 10	2,467	3,290	4,113	4,319
	29,604	39,480	49,356	51,828
MC 11	2,606	3,491	4,376	4,595
	31,272	41,892	52,512	55,140
MC 12	2,767	3,725	4,683	4,917
	33,204	44,700	56,196	59,004
MC 13	2,954	3,982	5,010	5,261
	35,448	47,884	60,120	63,132
MC 14	3,160	4,275	5,390	5,660
	37,920	51,300	64,680	67,920
MC 15	3,392	4,583	5,774	6,063
	40,704	54,996	69,288	72,756
MC 16	3,631	4,924	6,217	6,528
	43,572	59,088	74,604	78,336
MC 17	3,918	5,315	6,712	7,048
	47,016	63,780	80,544	84,576

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MC 18	4,223	5,553	6,883	7,227
	50,676	66,636	82,596	86,724
MC 19	4,562	5,802	7,042	7,394
	54,744	69,624	84,504	88,728

(Source: Amended at Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Local Tourism and Convention Bureau Program
- 2) Code Citation: 14 Ill. Adm. Code 550
- 3) Section Numbers: Proposed Action:
550.60 Amendment
- 4) Statutory Authority: Implementing Section 46.6a of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.6a) and Section 8.25 of "AN ACT in relation to State finance" (Ill. Rev. Stat. 1987, ch. 127, par. 144.25, as amended by P.A. 86-44, effective July 13, 1989) and authorized by Section 46.20 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.20).

5) A Complete Description of the Subjects and Issues Involved: This rulemaking serves to revise provisions governing the certification of bureaus found in Section 550.60 of the "Local Tourism and Convention Bureau Program" rules. The certification process is the first step in the application process for LTCB Grant funds and provides the information necessary to determine applicants' potential grant amounts. Changes include a requirement that new applicants must have at least 500 hotel/motel rooms in their service area and a requirement that each applicant (new and previously certified) can only serve a maximum of three counties which must be contiguous. Both these requirements ensure that the program will be utilized as the destination marketing program which it was intended to be.

6) Will these proposed amendments replace an emergency amendment currently in effect? Yes.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference? No.

9) Are there any proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. John D. Taylor, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration

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620 East Adams Street, 5th floor
Springfield, Illinois 62701
(217) 782-6136

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 28, 1990.
- B) Types of small businesses and small municipalities affected: All convention and visitors bureaus which participate in this program are not-for-profits and are therefore considered small businesses in accordance with the Illinois Administrative Procedure Act. These bureaus may be affiliated with one or more municipalities (small or large) or counties who would act as the grantee or the bureaus may receive funds directly.
- C) Reporting, bookkeeping or other procedures required for compliance: All bureaus must comply with the certification requirements of this rulemaking.
- D) Types of professional skills necessary for compliance: Bureau staff should possess necessary skills for compliance.

The full text of the Proposed Amendments is the same as the text of Emergency Amendments appearing on page 5567 of this Illinois Register.

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- 1) Heading of the Part: State Administration of the Federal Community Services Block Grant Program

- 2) Code Citation: 47 Ill. Adm. Code 120

- 3) Section Numbers: 120.115
Proposed Action: Amendment

- 4) Statutory Authority: Implementing the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1987, ch. 127, pars. 2601 et seq.) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).

- 5) A Complete Description of the Subjects and Issues Involved: The revisions contained herein are in response to user agency appeal for greater flexibility in amount of funds loaned per created job, in allowable loan interest charges and in use of loan funds. The revisions also correct a mistake in previous rulemaking and provide clarification of loan security and lapsed principal provisions.

- 6) Will these proposed amendments replace an emergency rule currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Do these proposed amendments contain incorporations by reference? Yes, under Section 6.02(a) of the Illinois Administrative Procedure Act.

- 9) Are there any proposed amendments pending on this Part? No.

- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. John D. Taylor, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration
620 East Adams Street, 5th floor
Springfield, Illinois 62701
(217) 782-6136

- 12) Initial Regulatory Flexibility Analysis:

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- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 26, 1990
- B) Types of small businesses and small municipalities affected: There will be no effect on small municipalities. Types of small businesses affected may include not-for-profit community action agencies, sole proprietorships, chapter "S" corporations, and general corporations.
- C) Reporting, bookkeeping or other procedures required for compliance: This rulemaking does not add any new reporting, bookkeeping or other procedures for compliance.
- D) Types of professional skills necessary for compliance: General business administration skills are necessary for compliance.

The full text of the Proposed Amendments begins on the next page:

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TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 120

STATE ADMINISTRATION OF THE FEDERAL COMMUNITY SERVICES
BLOCK GRANT PROGRAM

Section	
120.10	Legislative Base
120.20	Purpose and Scope
120.30	Definitions
120.40	Allocation
120.50	Grant Application Requirements
120.55	Grantee Termination
120.60	Grantee Selection
120.70	Required Board Structure
120.80	Administrative Requirements
120.90	Nondiscrimination
120.100	Complaint Process
120.110	Program Types-Description
120.115	CSBG Loan Programs
120.120	Eligibility Requirements
120.130	Limitations on Use of CSBG Funds
120.140	Incorporation by Reference

AUTHORITY: Implementing the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1987, ch. 127, pars. 2601 et seq.) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).

SOURCE: Adopted and codified at 7 Ill. Reg. 2934, effective March 9, 1983, amended at 8 Ill. Reg. 6023, effective April 20, 1984; amended at 9 Ill. Reg. 10692, effective June 28, 1985; amended at 9 Ill. Reg. 18130, effective November 12, 1985; amended at 10 Ill. Reg. 8666, effective May 13, 1986; amended at 10 Ill. Reg. 8976, effective May 13, 1986; amended at 10 Ill. Reg. 21051, effective December 8, 1986; amended at 11 Ill. Reg. 5926, effective March 19, 1987; amended at 11 Ill. Reg. 7937, effective April 20, 1987; amended at 12 Ill. Reg. 751, effective December 28, 1987; amended at 12 Ill. Reg. 17311, effective October 17, 1988; amended at 13 Ill. Reg. 779, effective January 4, 1989; amended at 13 Ill. Reg. 13562, effective August 11, 1989; amended at 13 Ill. Reg. 14026, effective August 28, 1989; amended at 14 Ill. Reg. _____, effective _____.

Section 120.115 CSBG Loan Programs

a) Loan Types

- 1) Fixed Rate Financing Fund Loan

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- A) CSBG funds are loaned through Grantees to an Illinois business in a separate but companion agreement to a conventional loan.
- B) The combined loans must exceed \$75,000.
- C) The CSBG loan represents no less than ten percent (10%) and no more than twenty percent (20%) of the combined --borrowingtotal loan package (combined borrowing and equity).
- D) The conventional loan is obtained from a licensed Illinois lending institution. The Small Business Administration guarantees up to 90% of the private lending institution's loan through its 7(a) Guaranteed Loan Program (15 U.S.C. 636(a)). The lending institution may sell the guarantee, called a "guaranteed interest certificate" into the secondary money market at a fixed interest rate that is one-half to one percent above Treasury bonds of the same maturity.
- E) The CSBG loan term may not exceed 10 years and has a fixed interest rate of no more than five percent (5%).
- F) CSBG Loan interest rate (Fixed-Flexible option)
- i) The CSBG loan shall have a fixed interest rate of no more than five percent (5%) or;
 - ii) At the grantee's option, the interest rate to the borrower may be set at loan inception at a rate not to exceed one-half (1/2) of the Prime Interest Rate (National Prime Rate as shown on that date in the Wall Street Journal). This calculated rate will become the loan's fixed interest rate for a one year period. Thirty (30) days before the annual anniversary date of the loan, the Grantee shall notify the borrower of the interest rate to be charged for the next year (based on 1/2 of Prime at date of notice). The annual interest rate under this flexible option shall never exceed the original interest rate (ceiling) and the Grantee may set a minimum (floor) interest rate of five percent (5%) or less for the duration of the loan.

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- G)F) The conventional and CSBG loan closings must be within 60 days of each other.
- 2) CSBG Revolving Loan
- A) CSBG funds are loaned through Grantees to an Illinois business in a separate but companion agreement to a conventional loan.
 - B) The CSBG loan represents no more than forty-nine percent (49%) of the combined-borrowingtotal loan package (combined borrowing and equity).
 - C) The conventional loan is obtained from a licensed Illinois lending institution.
 - D) The CSBG loan term may not exceed 10 years but may be for a shorter term at the discretion of the Grantee. The CSBG loan will have a fixed interest rate of no more than five percent (5%).
 - E) CSBG Loan interest rate (Fixed-Flexible option)
 - i) The CSBG loan shall have a fixed interest rate of no more than five percent (5%); or
 - ii) At the grantee's option, the interest rate to the borrower may be set at loan inception at a rate not to exceed one-half (1/2) of the Prime Interest Rate (National Prime Rate as shown on that date in the Wall Street Journal). This calculated rate will become the loan's fixed interest rate for a one year period. Thirty (30) days before the annual anniversary date of the loan, the Grantee shall notify the borrower of the interest rate to be charged for the next year (based on 1/2 of Prime at date of notice). The annual interest rate under this flexible option shall never exceed the original interest rate (ceiling) and the Grantee may set a minimum (floor) interest rate of five percent (5%) or less for the duration of the loan.
- F)E) The conventional and CSBG loan closings must be within 60 days of each other.
- b) Hiring and Job Retention

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- 1) Establishing a Pre-loan Base Number of Employees -- The Grantee shall review the borrower's employment verification records at the time of the loan closing to establish the pre-loan employment level in order to assure that no personnel cuts were made by the business in anticipation of the pending loan and its hiring requirements.

2) Hiring Requirements

- A) Businesses accepting CSBG loan funds must hire at least one new full-time equivalency (minimum 37 1/2 hour work week, averaged annually) (CSBG eligible (in accordance with Section 120.120) employee for each \$5,000 or any portion thereof of CSBG monies borrowed:

Example:	1-\$ 5,000	Minimum
	\$ 5,001-\$10,000	1 Job
	\$10,001-\$15,000	2 Jobs
		3 Jobs or;

- B) The Department will allow, based on presentation of written verifiable jobs (to be created) salary data submitted as part of its loan application, the Grantee to set the amount loaned per job at fifty percent (50%) of the entry level salary for each proposed job up to a maximum of \$15,000 per job. (For example: an entry level salary of \$40,000 would warrant lending of \$15,000; a \$20,000 entry salary would warrant lending of \$10,000; a \$7,000 entry salary would warrant lending of \$3,500.) (No combination of (A) and (B) of this subsection is allowed. The Grantee must choose one method or the other.)

- C) If part-time employment is involved in the created jobs (under either (A) or (B) of this subsection), the full-time equivalency shall be no more than two employees making up one 37 1/2 hour work week.

- D) A hiring schedule must be a part of each loan agreement. The required hiring must be completed within the first 24 months of the loan, with at least 50% of the new employees hired in the first 12 month period. (For purposes of this hiring timeframe, the loan is considered consummated the date the borrower first receives the loan funds.)

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- E) The job positions for CSBG eligible clients created by the loan must be retained and filled by an eligible client for at least 24 months from the date the job was first created. Grantees should attempt to retain the availability of the loan created jobs for CSBG eligible clients over the full loan term by maintaining professional contact (e.g., Job Training Partnership Act job referrals, Targeted Jobs Tax Credit Program) with the business and tracking the jobs. Grantees, through their individual loan agreements, may negotiate more restrictive hiring requirements than stated in subsection (2).

c) Loan Fund Use

CSBG funds loaned may only be used to purchase machinery, equipment or inventory or to provide working capital. CSBG loans may not be used to purchase or improve real property (per Section 120.130 of this Part). This real property restriction does not apply to loans made with "Recaptured Loan Funds" (as described in subsection (h)).

d) Loan Security

Provisions (collateral) shall be made for first position on loan security. If first position is impossible because of the primary lender's claims, the Grantee should negotiate shared position with the private lender. Subordinate position for loan security should be the CAA's last resort. Loan agreements shall contain precise listings and assignment of collateral established as security for the loan.

e) Loan Contract Provisions

Each Grantee's loan contract with a borrower shall clearly, and in detail, specify the following:

- 1) Employment Plan (consisting of mechanism to assure CSBG client eligibility, timeframes, job descriptions);
- 2) Payment Schedule;
- 3) Interest Rate Charged;
- 4) Late Payment Penalty Provision (optional);
- 5) Default Provisions (Hiring and Payback: i.e., minimum hiring provisions may not extend beyond 24 months, and no

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more than 90 days payment arrears);

- 6) Loan Security Provision (The Grantee shall perfect the loan security. For example: hold title to vehicles; secure a mortgage on pledged real property; require U.C.C. filing for pledged equipment, fixtures and inventory.);

- 7) Collateral Description;

- 8) Prepayment Provisions (optional);

- 9) Hiring Schedule;

- 10) Use of Loan (Machinery, Working Capital, Equipment);

- 11) Hiring Noncompliance Penalty (optional);

- 12) Other documentation necessary to assure compliance (e.g., hiring reports); and

- 13) Primary lender - amount - term - interest - collateral.

f) Loan Payment Provisions

- 1) The interest rate for the CSBG loan shall have a fixed rate not to exceed 5% or an annually adjusted rate as specified in subsection (a)(2)(E).

2) Payment Schedules

- A) Payments shall include principal and interest calculated in accordance with standard loan tables.

- B) Loan payments shall not be deferred.

- C) Grantees, through their individual loan agreements, shall impose a late payment penalty of not less than five percent (5%) of any monthly installment not received from the borrower within fifteen (15) days after the installment is due.

g) Loan Approval Process for Loans Under Current Grants

- 1) All Grantee CSBG funded loans must be submitted to the Department for approval. The Department's review and determination to approve or disapprove the loan will be given in writing within twenty (20) working days of receipt of a complete set of the loan documents. (Loans submitted

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for approval after November 15, of any calendar year may take up to forty-five (45) working days for approval.)

- 2) The loan application documents to be submitted and upon which the decision of the Department will be based, consist of:

- A) The loan agreement containing all provisions in compliance with this Part.

- B) Application documents:

- i) History of the Company - a brief history of the business and past employment growth.

- ii) Market Information - information on the company's products or services and identification of existing and potential major customers and competitors.

- iii) Corporate Financial Statements - historical corporate financial statements for the past three years and interim statements dated no more than ninety days prior to application including: Profit and Loss Statements, Balance Sheets, Cash Flow Statements, and Disclosure of Contingent Liabilities.

- iv) Three Year Projections - three year projections of the Profit and Loss Statement and Balance Sheet and a one year Monthly Cash Flow Projection.

- v) Description of Machinery and Equipment (if applicable) - major equipment or classes of equipment to be acquired with the Department's program funds identified; for acquisition of new machinery and equipment, attachments of reliable vendor cost estimates; for moving and installation costs, attachments of written estimates; for used machinery and equipment acquisition, an independent appraisal demonstrating that the fair market value is in line with the purchase price.

- vi) Description of Working Capital (if applicable) - a detailed explanation of the need for and use of funds.

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- vii) Company Management - a listing of those people that are responsible for the management of the company, their positions, and percentages of ownership.
- viii) Personal Resumé(s) - a resumé for senior staff at the proposed project site.
- ix) Personal Financial Statement - a personal financial statement(s) for each principal owning more than 20 percent of the company.
- x) Letters of Commitment - commitment letters documenting all sources of leveraging; loans from financial institutions must have language indicating the loan amount, the specified term and interest, collateral, conditions attendant to the loan, and the fact that the loan is approved; any commitment to purchase a revenue bond must have an executed inducement resolution and the rates, terms, and conditions of approval by the buyer.

- 3) Financial Evaluation Component - The applicant's financial statements, including annual balance sheets and profit and loss statements for the past three years as well as the most recent ninety days; a three year projected balance sheet and profit and loss statement as well as a one year monthly cash flow statement will be reviewed through a standard credit analysis (as prescribed in the Business Credit Analysis Textbook, 1985, published by the National Development Council) which will determine the: liquidity and debt coverage for the project; ability of the company to manage debt; business trends, and projected earnings. This data will be compared to similar data for companies in the same industry using "Robert Morris Associates Annual Statement Studies" (1987) (1988) if such industry is evaluated by this source. This standard credit analysis will determine the financial stability of the company. Determination of the loan approval will also be based on compliance with Section 9-4(a), (d), (e), and (f) of the Small Business Development Act (Ill. Rev. Stat. 1987, ch. 127, par. 2709-4(a), (d), (e), and (f)).

h) Loan Approval Process for Recaptured Loan Funds

- 1) All Grantee loans utilizing repaid principal from previous CSBG loans (recaptured loan funds) must be submitted to the

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Department for approval.

- 2) The Grantee may, at its option, request the Department to review the complete loan application. When this request occurs, the documents upon which the Department will judge its approval or disapproval and the process for this determination will be in accordance with subsection (g) of this Section.
- 3) If the Grantee chooses to conduct its own loan review, the loan document to be submitted and upon which the decision of the Department will be based is the "Pre-Loan Closing Form" which includes the following information:
 - A) Grantee Agency name, address and date of submittal;
 - B) Name and address of borrowing business;
 - C) Loan period;
 - D) Interest rate;
 - E) Hiring schedule;
 - F) Loan use;
 - G) Collateral description and position;
 - H) Primary lender, amount, and term; and
 - I) Signature of submitting officials.
- 4) The approval, or disapproval of the Department will be based on the loan period, interest rate, hiring schedule, loan use, collateral description and position, and primary lender amount being in compliance with this Part. The "Pre-Loan Closing Form" will have an Approval/Disapproval check box with an explanation section for disapproved submittals and a signature line for the Department's reviewer. This document, with the Department's determination and signature, will be returned to the Grantee within 10 working days of its receipt. (The approval process for loans submitted after November 15, of any calendar year may take up to forty-five (45) working days.)

- i) Loan Fund Recovery/Re-Use/Disposition/Reversionary Right

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1) Recovery

The repaid loan principal is considered by the Department to be a Community Services Block Grant-related asset, held in trust by the Grantee. The Grantee must place the repaid loan principal in a corporate revolving loan account to continue business assistance efforts in compliance with this Part. This continuation requirement shall be perpetually binding on the Grantee, its successors and assignees until such time as the Department formally negotiates with the agency other CSBG related uses for the recovered loan principal. The interest earned on the CSBG supported business loans is not required to be a part of the perpetuation of the loan program nor subject to the provisions of the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1987, ch. 127, pars. 2301 et seq., as amended by P.A. 85-1214, effective August 30, 1988) and may be used for any corporate purpose.

2) Re-Use

Recaptured principal amounts will be reported quarterly to the Department. The Grantee shall actively pursue new business start up or expansion loan opportunities for the recaptured principal (written record of loan attempt activity). When it is found by the Department that recaptured principal has accrued to the lesser of \$40,000 or 75% (minimum amount \$5,000) of the amount loaned by the Grantee in any year (lapsed principal), the Department will notify the Grantee in writing at 30 days and 45 days from the date of the finding that it must commit the lapsed principal to loans or lose it. Sixty days after the initial finding, the Department shall require the Grantee to forward, within 30 days of the notice, a check for the specific amount of lapsed principal to another Grantee or Grantees who have notified the Department of lack of funds for pending CSBG loans either \$40,000 or thirty-three percent (33%) of the annual repaid principal amounts (from the previous calendar year excluding any balloon payments), whichever is greater, the excess of these limits will be declared to be lapsed principal. All interest earned on lapsed principal during the year and the excess principal held by the Grantee at the end of the calendar year, will be payable to the Department, or its designee, (with thirty days written notice) by the end of February in the following calendar year.

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3) Disposition

The Grantee may not sell, transfer or in any way dispose of the CSBG funded loans.

4) Reversionary Right

In the event of Grantee termination of funding (as specified in Section 120.55 of this Part) the Grantee's repaid principal loan fund balance and all current loans shall revert to the Department for transfer to the successor (Section 120.60 of this Part) agency.

j) Reporting/Monitoring/Recordkeeping

1) The grantee agency is responsible for monitoring the following provisions of each CSBG supported loan (including loans made with recaptured loan principal):

- A) hiring schedule compliance including CSBG eligibility verification;
- B) replacement of employees;
- C) use of loan monies; and
- D) loan repayment.

2) Loans made with recovered loan principal will be monitored and reported in the same manner as initial CSBG fund loans. The grantee agency monitoring must be completed prior to the Department's quarterly CSBG reporting requirement dates (1/15, 4/15, 7/15 and 10/15). The CSBG quarterly reports from the grantee agency will include a completed Quarterly Fund Hiring/Payback status report which provides the following information:

- A) agency name and address, reporting period, and contact person;
- B) a list of closed projects;
- C) total number of jobs created using CSBG dollars;
- D) total number of jobs retained using CSBG dollars;
- E) timetable for hiring (number to be hired by month, day, and year);

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- F) total number of jobs filled to date (excluding terminations);
- G) number of CSBG persons hired who are female or minority employees;
- H) comments regarding the projects (terminations are to be noted here);
- I) loans totally repaid (name and amount of principal);
- J) loans presently being repaid (name, monthly principal, and principal to date);
- K) total principal repaid to date on all loans;
- L) balance of funds in recaptured account;
- M) loans made from recaptured funds (business name and CSBG dollar amount); and
- N) loans delinquent in payback (business name, total amount delinquent, how long delinquent).
- 3) The grantee agency must maintain loan program data (e.g., bank statements, copies of W-4's) to verify information reported quarterly to the Department.
- 4) The Department's program monitoring and annual auditing will include verification of the Grantee's report on the status of each consummated loan.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Uniform Fiscal and Administrative Standards for the Job Training Partnership Act
- 2) Code Citation: 56 Ill. Adm. Code 2630
- 3) Section Numbers: 2630.82
2630.103
Proposed Action:
Amendment
Repeal
- 4) Statutory Authority: Implementing Section 164(a)(1) of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982, as amended by P.L. 97-404, effective December 31, 1982; P.L. 99-496, effective October 16, 1986; P.L. 99-570, effective October 27, 1986; and P.L. 100-418, effective August 23, 1988) and Section 46.41 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.41) and authorized by Section 46.40(b) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.40(b)).
- 5) A Complete Description of the Subjects and Issues Involved: Procedures for the procurement of service providers under the Job Training Partnership Act (JTPA) no longer differ from the procedures for other types of procurement. It was therefore decided that requirements for all procurement be specified in one Section. To that end, subsection (b) has been deleted and the heading of subsection (b) (previously labeled (c)) has been changed to delete the references to service providers. The provisions of Attachment O from the Office of Management and Budget (OMB) Circulars A-102 and A-110 are already addressed in greater detail in subsection (b). Additionally, the methods of procurement addressed in subsection (b)(4) are being revised to correspond to the common rule issued by the OMB at 53 FR 8097, March 11, 1988. One significant change included in the revision is that the dollar limit governing small purchase procurement was raised from \$10,000 to \$25,000. Section 2630.103 is being repealed because JTPA Title III funds no longer require match.
- 6) Will these proposed amendments replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporations by reference? Yes, under Section 6.02(a) of the Illinois Administrative Procedure Act.
- 9) Are there any proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).

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- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. John D. Taylor, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration
620 East Adams Street, 5th floor
Springfield, Illinois 62701
(217) 782-6136

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 26, 1990.
- B) Types of small businesses and small municipalities affected: There will be no direct effect on small municipalities. This rulemaking prescribes the method of procurement to be used by JTPA grantees under the Job Training Partnership Act. Sixteen of these grantees are not-for-profits and are therefore considered small businesses in accordance with the Illinois Administrative Procedure Act.
- C) Reporting, bookkeeping or other procedures required for compliance: All JTPA grantees must comply with the methods prescribed for procurement.
- D) Types of professional skills necessary for compliance: No additional skills are necessary for compliance.

The full text of the Proposed Amendments begins on the next page:

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 2630

UNIFORM FISCAL AND ADMINISTRATIVE STANDARDS FOR
THE JOB TRAINING PARTNERSHIP ACT

SUBPART A: INTRODUCTION

Section
2630.2

Definitions

SUBPART B: ADMINISTRATIVE STANDARDS AND PROCEDURES

Section
2630.80
2630.81
2630.82
2630.83
2630.84
2630.85

Program Income
Insurance
Procurement
Property Management
Management Systems, Reporting, and Recordkeeping
Cash Management

SUBPART C: FISCAL STANDARDS AND PROCEDURES

Section
2630.100
2630.101
2630.102
2630.103

Allowable Costs
Classification of Costs
Limitations on Certain Costs
Matching Funds (Repealed)

SUBPART D: COST DETERMINATION

Section
2630.110
2630.111
2630.112
2630.113
2630.114

Principles for Determining Costs
Guidelines for Cost Allocation Plans
Standards for Selected Items of Cost
Indirect Cost Proposals
Suggested Bases for Cost Distribution

SUBPART E: AUDIT

Section
2630.120
2630.121
2630.122
2630.123

Audit Requirements
Oversight
Sanctions
Federal Cognizance

AUTHORITY: Implementing Section 46.41 of the Civil Administrative Code of

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Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.41) and the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982, as amended by P.L. 97-404, effective December 31, 1982; P.L. 99-496, effective October 16, 1986; P.L. 99-570, effective October 27, 1986; and P.L. 100-418, effective August 23, 1988) and authorized by Section 46.40(b) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.40(b)).

SOURCE: Adopted at 8 Ill. Reg. 3616, effective March 12, 1984; amended at 8 Ill. Reg. 14307, effective August 2, 1984; amended at 8 Ill. Reg. 16422, effective August 31, 1984; amended at 8 Ill. Reg. 22515, effective November 5, 1984; amended at 9 Ill. Reg. 6159, effective April 24, 1985; amended at 9 Ill. Reg. 6692, effective April 25, 1985; amended at 9 Ill. Reg. 18475, effective November 18, 1985; amended at 9 Ill. Reg. 20669, effective December 16, 1985; amended at 10 Ill. Reg. 8083, effective May 6, 1986; amended at 10 Ill. Reg. 21069, effective December 5, 1986; amended at 11 Ill. Reg. 11682, effective June 29, 1987; amended at 12 Ill. Reg. 15961, effective September 26, 1988; amended at 14 Ill. Reg. _____, effective _____.

Section 2630.82 Procurement

a) Procurement Systems for State Agency Grantees and Subgrantees - State agency grantees and subgrantees shall administer procurement systems in accordance with the Standard Procurement Rules of the Department of Central Management Services (44 Ill. Adm. Code 1) for selection of JTPA providers.

b) Procurement Systems for Non-State Agency Grantees and Subgrantees - All grantees and subgrantees shall administer procurement systems in accordance with the Office of Management and Budget (OMB) Circular A-102, Attachment O-(47-iii-Adm-Code-17-Appendix A) or OMB Circular A-110, Attachment O-(47-iii-Adm-Code-17-Appendix B); as applicable, except in the selection of service providers as specified in subpart(c) through (g) of this section.

b) Procurement Systems for Non-State Agency Grantees and Subgrantees/Selection of Service Providers - All grantees and subgrantees shall administer procurement systems for selection of all service providers. The procurement system shall take into consideration past performance (e.g., entered employment rates, cost per placement, and ability to meet contract objectives). The procurement system may consider other criteria as determined locally. The procurement system shall include the following requirements:

1) Grantee/Grantor Responsibility

These standards do not relieve the grantee/subgrantee of any contractual responsibilities under its contracts. The grantee/subgrantee is responsible, in accordance with good

administrative practice and sound business judgment for the settlement of all contractual and administrative issues arising out of procurements entered in support of a grant. These include but are not limited to source evaluation, protests, disputes, and claims. Violations of law are to be referred to the local, State, or Federal authority having proper jurisdiction.

2) Code of Conduct

A) Grantees/subgrantees shall maintain a written code or standards of conduct which shall govern the performance of their officers, employees or agents engaged in the award and administration of contracts supported by Federal funds. Pursuant to Section 141(f) of the Act, no Private Industry Council (PIC) member shall participate in the selection or in the award of a contract supported by Federal funds if a conflict of interest, real or apparent, is involved. Additionally, no employee, officer, or agent of the grantee/subgrantee, or governing body of the grantee shall participate in the selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, is involved. Such a conflict shall arise when the employee, officer or agent; any member of his or her immediate family; his or her partner; or an organization which employs any of the previously identified, has a financial or other interest in the entity selected for an award. This provision does not prohibit a community based organization, education agency, employer, or other service provider represented by a PIC member from receiving a subgrant for the provision of training and/or services to participants. However, when such a conflict of interest arises, PIC members must abstain from voting on the award of the subgrant. The grantee is prohibited from awarding a subgrant

i) to any PIC member for performing administrative services (i.e., consultant services, accounting services, etc.); or

ii) to any PIC member or entity with which he/she is affiliated which results in direct personal gain to the PIC member.

B) The grantee's/subgrantee's officers, employees or agents shall neither solicit nor accept gratuities,

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favors, or anything of monetary value from service providers, potential service providers (i.e., persons who perform services of type contracted for), or parties to grants.

3) Selection Procedures

A) All procurement transactions, regardless of whether by sealed bids or by negotiation and without regard to dollar value, shall be conducted in a manner that provides maximum open and free competition consistent with Section --2630-82 --of this Part Section. Procurement procedures shall not restrict or eliminate competition. Examples of what shall be considered to be restrictive of competition include, but are not limited to:

- i) placing different requirements on various firms in order for them to qualify for the same procurement.
- ii) noncompetitive practices between firms;
- iii) organizational conflicts of interest; and
- iv) unnecessary experience and bonding requirements. (i.e., requests for qualifications or experience that are not related to the services to be procured).

B) The grantee/subgrantee shall have written selection procedures which shall provide, at a minimum, the following procedural requirements:

- i) Solicitations of offers, whether by competitive sealed bids or competitive negotiation proposals shall incorporate a clear and accurate description of the technical requirements for the service to be procured. Such description shall not, in competitive procurements, contain features which restrict competition. The description shall include a statement of the qualitative nature of the service to be procured and set forth those standards to which the service shall conform in order to meet the program purpose. Solicitations of offers shall clearly set forth all requirements which service providers/contractors must fulfill and all

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other factors to be used in evaluating proposals pursuant to Section 2630.2 of this Part.

- ii) Awards shall be made only to service providers/contractors that demonstrate the ability to meet objectives of the proposed procurement. Examples of how the ability to meet the procurement objects can be demonstrated include, but are not limited to: financial resources, technical qualifications, experience, organization and facilities adequate to carry out the project; resources to meet the completion schedule contained in the contract; a satisfactory performance record for completion of contracts; and accounting and auditing procedures adequate to control property, funds and assets, pursuant to Sections 2630.83(a) and (b) and 2630.84(c) through (i) of this Part.

4) Methods of Procurement -

A) Procurement under grants shall be made by one of the following methods: procurement by small purchase procedures, procurement by competitive sealed bids (formal advertising), procurement by competitive negotiation proposals, or procurement by noncompetitive negotiation proposals.

A) Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$25,000 in the aggregate. If small purchase procurements are used, price or rate quotations will be obtained from an adequate number of qualified sources.

B) A--competitive Sealed bids (formal advertising) consists-of-a are publicly solicited offer-for and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is lowest in price. The sealed bid is the preferred method for procuring construction, if the conditions which follow apply. if-the-competitive In order for sealed bids to be feasible, process-is-used-for-a-procurement,-under-a grant, the following requirements ----shall

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apply conditions should be present: a complete, adequate and realistic specification or purchase description is available; two or more responsible bidders are willing and able to compete effectively for the business; and the procurement lends itself to a firm-fixed-price contract and the selection of the successful bidder can be made principally on the basis of price. If sealed bids are to be used, the following requirements apply:

i) the invitation for bids will be publicly advertised and a sufficient time prior to the date set for opening of bids; bids shall be solicited from an adequate number of known suppliers, providing them sufficient time prior to the date set for opening the bids; in addition; the invitation shall be publicly advertised in newspapers circulated in the local service delivery area;

ii) the invitation for bids, including which will include any specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation;

iii) all bids shall be publicly opened publicly at the time and place stated prescribed in the invitation for bids;

iv) a firm-fixed-price contract award shall will be made by written notice in writing to that the lowest responsive and responsible bidder. whose bid, conforming to the invitation for bids; Where specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

v) any or all bids may be rejected if the bidders cannot demonstrate nor meet the conditions of the invitation for bid there is a sound documented reason.

c) the procurement by competitive negotiation process proposals is normally conducted with more than one

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source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. consists of publicly solicited proposals for services to be provided which are evaluated according to the criteria established by the grantee/subgrantee pursuant to 2630-82(e)(3) of this Part. If the competitive negotiation process this method is used for a procurement, under a grant, the following requirements shall apply:

i) A Requests for proposals will be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical; shall identify all evaluation factors established by grantees/subgrantees pursuant to 2630-82(e)(3) of this Part. All persons who request a request for proposal form must be given one by the grantee/subgrantee.

ii) The grantee/subgrantee shall establish mechanisms consistent with Section 2630-82(e)(3) of this Part for technical evaluation of the proposals received; determinations of bidders who will be contacted for the purpose of written or oral discussions; and selection for contract award. Proposals will be solicited from an adequate number of qualified sources;

iii) Award shall be made to the service provider whose proposal most fully meets the criteria established by the grantee/subgrantees pursuant to Section 2630-82(e)(3) of this Part. Unsuccessful service providers must be notified within thirty days of the award. Grantees and subgrantees will have a method for conducting technical evaluations of the proposals received and for selecting awardees;

iv) Award will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and

v) Grantees and subgrantees may use competitive proposal procedures for qualifications-based

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procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

D) Procurement by Noncompetitive negotiation consists of procurement proposals is procurement through the solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Circumstances under which a contract may be awarded -- by noncompetitive -- negotiation -- are -- limited -- to -- the following situations:

- i) Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and one of the following circumstances applies:
 - i) where the service the item is available only from a single source; the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; the awarding agency authorizes noncompetitive proposals; or after solicitation of a number of sources, competition is determined inadequate.

or

- ii) where after solicitation of potential service providers pursuant to Section 2630-82(f) of this Part, the grantee/subgrantee determines that the bidders cannot meet the requirements specified in Section 2630-82(c)(4)(B) of this Part.

- ii) Cost analysis, i.e., verifying the proposed cost data, and the evaluation of the specific elements of costs and profit, is required.

5) Grantee Procurement Records

Grantees shall maintain records which detail the history of

a procurement. These records shall include, but are not necessarily limited to the following: the method of procurement, and the basis for the selection or rejection of a service provider.

- c) Sole source awards for on-the-job training of program participants may be made, provided that an employer-employee relationship exists and that the employer will provide job training to enable the participant to perform as a regular employee of the employer's (or another employer's) establishment. When such awards are made, records of the awards shall be maintained.

- e) Subgrants of \$10,000 or less are exempt from the procurement requirements of Section 2630-82(c)(4) of this Part.

- d) f) All grantees and subgrantees shall maintain a list of potential providers/contractors who have expressed an interest, in writing, in being considered for awards. The list shall include names, addresses, and services. All potential providers/contractors, who have expressed interest in being considered for awards, shall be sent Requests for Proposals for the area or areas of service for which they wish to be considered. The list shall be considered to be public information.

- e) g) Programs determined to be effective by the Private Industry Council (PIC) using locally developed standards of effectiveness may be continued by non-competitive negotiations proposals in accordance with subsection(b)(4)(D) provided that

- 1) in the case of programs operated by service delivery areas, as defined in Section 101 of the Act, the Private Industry Council (PIC) reviews their performance and supports continuation of the grant; and

- 2) in the case of programs supported by funds authorized by Sections 202(b) and 301 of the Act, the Illinois Job Training Coordinating Council, in accordance with Section 122(b) of the Act, reviews their performance.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 2630.103 Matching Funds (Repealed)

- a) Grantees are required to match JTPA grant funds with existing non-Federal resources. Matching funds for programs under Title III of the Act may include, but are not limited to: State-paid unemployment insurance payments to participants; State and local support of community colleges; donated and in-kind services; and

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expenditures-on-behalf-of-on-the-job-training-programs---Grantees
are-required-to-match-grant-funds-as-delineated-in-the-grant-

- b) title-ii-funds-shed-i-be-matched-in-accordance-with-guidelines-to
be-published-at-a-later-date-

(Source: Repealed at 14 Ill. Reg. _____, effective _____)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Fire Equipment Distributor and Employee Standards

- 2) Code citation: 41 Ill. Adm. Code 250

- 3) Section numbers:

Proposed Action:

250.10 New Section
250.20 New Section
250.25 New Section
250.30 New Section
250.40 New Section
250.50 New Section
250.55 New Section
250.60 New Section
250.70 New Section
250.80 New Section
250.82 New Section
250.83 New Section
250.85 New Section
250.90 New Section
250.93 New Section
250.95 New Section
250.97 New Section
250.201 New Section
250.210 New Section
250.213 New Section
250.215 New Section
250.216 New Section
250.220 New Section
250.225 New Section
250.230 New Section
250.232 New Section
250.233 New Section
250.235 New Section
250.245 New Section
250.250 New Section
250.260 New Section
250.265 New Section
250.270 New Section
250.280 New Section
250.290 New Section
250.301 New Section
250.310 New Section
250.315 New Section
250.320 New Section

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250.330 New Section
250.340 New Section
250.341 New Section
250.343 New Section
250.344 New Section
250.345 New Section
250.356 New Section
250.358 New Section
250.360 New Section
250.370 New Section
250.380 New Section
250.390 New Section
TABLE A
250. APPENDIX A New Section

4) Statutory Authority: Implementing and authorized by Section 7 of the Fire Equipment Distributor and Employee Regulation Act (Ill. Rev. Stat. 1987, ch. 11, par. 8007).

5) A Complete Description of the Subjects and Issues Involved: This rulemaking specifies the substantive rules for the fire equipment distributor and their employees.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? Yes.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: The Office of the State Fire Marshal is not aware of any local governments directly impacted by this rulemaking.

11) Time, Place, and Manner in which Interested persons may comment on this proposed rulemaking: Interested parties may submit written comments on this proposal within 30 days after publication to:

John J. Pavlou
General Counsel
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield, Illinois 62703-4259

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12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 30, 1990
- B) Types of small businesses affected: Fire Equipment Distributors.
- C) Reporting, bookkeeping or other procedures required for compliance: Distributors and their employees must complete application forms. Employees must file certain reports (non-compliance, completion, and maintenance reports). Employees must also take an examination.
- D) Types of Professional skills necessary for compliance: Professional skills are job related; these rules do not require any skills other than those required for occupational performance.

The full text of Proposed Rule(s) begins on the next page:

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED RULES

TITLE 41: FIRE PROTECTION
CHAPTER I: STATE FIRE MARSHAL

PART 250

FIRE EQUIPMENT DISTRIBUTOR AND EMPLOYEE STANDARDS

SUBPART A: PORTABLE FIRE EXTINGUISHERS

Section

250.10	Scope
250.20	Definitions
250.25	Apprentice
250.30	Classifications, Ratings, and Performance of Portable Fire Extinguishers
250.40	Classification of Hazards
250.50	General Requirements
250.55	Required Equipment
250.60	Selection of Portable Fire Extinguishers
250.70	Distribution of Portable Fire Extinguishers
250.80	Inspection, Maintenance, and Recharging
250.82	Tagging
250.83	Certification Tags
250.85	Tamper Seals
250.90	License Number
250.93	Labeling
250.95	Replacement and Defective Parts
250.97	Sub-Contracting

SUBPART B: PRE-ENGINEERED FIRE SUPPRESSION SYSTEMS

250.201	Scope
250.210	Definitions
250.213	Apprentice
250.215	Maintenance, Recharging, Hydro-Testing, Servicing, and Inspection of Pre-Engineered Fire Suppression Systems.
250.216	Manufacturer Certified Distributor
250.220	Compliance Standards
250.225	Required Equipment
250.230	Tagging
250.232	Certification Tag
250.233	Tamper Seals
250.235	Non-Compliance Tag
250.245	License Number
250.250	Labeling
250.260	Pre-Piped Systems
250.265	Replacement and Defective Parts

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250.270	Sub-Contracting
250.280	Non-Compliance Reports
250.290	Certificate of Completion

SUBPART C: ENGINEERED FIRE SUPPRESSION SYSTEMS

250.301	Scope
250.310	Definition
250.315	Apprentice
250.320	Compliance Standards
250.330	Required Equipment
250.340	Tagging
250.341	Certification Tag
250.343	Tamper Seals
250.344	Non-Compliance Tag
250.345	License Number
250.356	Replacement Parts and Defective Parts
250.358	Labeling
250.360	Subcontracting
250.370	NICET Certification
250.380	Non-Compliance Reports
250.390	Certificate of Completion

250. TABLE A MINIMUM EQUIPMENT AND FACILITY REQUIREMENTS FOR FIRE EQUIPMENT DISTRIBUTOR LICENSE

250. APPENDIX A Examples and Specifications for Tags, Labels and Forms

AUTHORITY: Implementing and authorized by Section 7 of the Fire Equipment Distributor and Employee Regulation Act (Ill. Rev. Stat. 1987, Ch. 111, par. 8007).

SOURCE: Adopted at Ill. Reg. _____, effective _____)

SUBPART A: PORTABLE FIRE EXTINGUISHERS

Section 250.10 Scope

Subpart A provides minimum requirements for Class "A" Distributor and Class 1 Employee Licenses for servicing, recharging, hydro-static testing, installing, maintaining or inspecting of all types of fire extinguishers.

OFFICE OF THE STATE FIRE MARSHAL

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Section 250.20 Definitions

"Office". Office of the Illinois State Fire Marshal.

"NFPA". The term, NFPA, means the National Fire Protection Association, Batterymarch Park, Quincy, Mass. 02269. The number following NFPA is the standard number and is followed by the year designating the year of publication (or edition). Where the Office has adopted a standard, no later editions or amendments are included.

"Apprentice". An individual who has applied for a certain class of license, and who is training under the direct supervision of an employee who holds the same class of license for which the apprentice has applied.

"COMBI". A combination passenger/cargo aircraft designed for the primary function of carrying both passengers and cargo on the same level.

"UL". Underwriters Laboratory.

"Approved". Meeting the requirements of the State Fire Marshal's Office contained in 41 Ill. Adm. Code Part 250.

The Office of the State Fire Marshal hereby incorporates the following definitions from the National Fire Protection Association Standard 10, Standard for Portable Fire Extinguishers, 1988 edition, with no later editions or amendments:

Authority having Jurisdiction

BTC
Class A Fires
Class B Fires
Class C Fires
Class D Fires
Compressed Gas Cylinders
CTC
DOT
Factory Test Pressure
Halogenated Agents
ICC
Inspection
Labeled
Listed
Maintenance
Mild Steel Shell
Portable Fire Extinguisher
Recharging

OFFICE OF THE STATE FIRE MARSHAL

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Self-ExPELLing Extinguisher
Service Pressure
Servicing
Shall
Should
Stored Pressure Extinguisher.

Section 250.25 Apprentice

A licensed Class 1 employee shall supervise all work performed by the apprentice and the employee's license number shall appear on all tags and labels where it is required.

- a) There shall be no more than two (2) apprentices per licensed Class 1 employee.
- b) The apprenticeship period shall be for a maximum of twelve (12) months or three (3) testing periods from the date of application, whichever is longer. The Apprentice period will end upon receiving the license. If after the apprenticeship period the applicant has, from the date of application, failed to obtain a license as applied for, the individual shall be removed from the apprenticeship program. The individual may reapply after one (1) year from the end of the previous apprenticeship period.
- c) It shall be the Distributor's responsibility, within thirty (30) days of employment, to submit an application to the State Fire Marshal's Office for an employee license in the respective class that the employee will be training.

Section 250.30 Classification, Ratings, and Performance of Portable Fire Extinguishers

- a) NFPA 10 (1988) Sections 1-4.1, 1-4.2, and 1-4.3 are hereby incorporated by reference.
- b) Use of halogenated agent fire extinguishers shall be limited to applications where a clean agent is necessary to extinguish fire efficiently without damaging the equipment or area being protected, or where the use of alternate agents can cause a hazard to personnel in the area. Exception: Halogenated agent types of extinguishers installed before January 1, 1991.

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- c) Automatic Fire Extinguisher Unit. A Class "A" Distributor/Class 1 licensed employee may service, recharge, and hydro-test an automatic fire extinguisher unit having self contained automatic detection and actuation, providing the unit's limited discharge piping network cannot be modified in the field.
- d) Stationary Fire Extinguishers/Quick Opening Valves. Wheeled, stationary and skid mounted fire extinguisher units with or without quick opening valves and provided they are manually operated shall be classified as fire extinguishers and shall require a Class "A" Distributor/Class 1 licensed employee to service, hydro-test, recharge, maintain, install or inspect.
- e) Recharging. A Class "A" licensed Distributor/Class 1 Licensed employee may recharge CO₂, dry chemical, and Halon 1211 and 1301 cylinders that are part of a fire suppression system. The fire suppression system, however, shall be serviced by a Class "B" or Class "C" licensed Distributor, whichever is applicable.
- f) Hydro-Testing. A Class "A" Licensed Distributor/Class 1 Licensed Employee may hydro-test CO₂, dry chemical, and Halon 1301 & 1211 cylinders that are part of a fire suppression system. The fire suppression system, however, shall be serviced by a Class "B" or Class "C" Licensed Distributor, whichever is applicable.
- g) NFPA 10 (1988) Sections 1-4.4, and 1-4.5 are hereby incorporated by reference.

Section 250.40 Classification of Hazards

NFPA 10 (1988) Section 1-5, Classifications of Hazards, is hereby incorporated by reference.

Section 250.50 General Requirements

- a) NFPA 10 (1988) Sections 1-6.1 through 1-6.12 are hereby incorporated by reference.
- b) Water type (water, FFFP, AFFF, and wetting agent) extinguishers shall not be installed in areas where temperatures are outside the range of 40°F to 120°F (4°C to 49°C). All other types shall not be installed in areas where temperatures are outside the range of -40°F to 120°F (-40°C to 49°C). Exceptions 1, 2, & 3 to NFPA 1-6.13 apply.

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- c) NFPA 10 (1988) Section 1-6.14 is hereby incorporated by reference.
- d) NFPA 10 (1988) Sections 1-7, 1-7.1, and 1-7.2. are hereby incorporated by reference

Section 250.55 Required Equipment

Refer to the "Minimum Equipment and Facility Requirements" list for the required equipment for a Class A Distributor license. See Section 250. TABLE A.

Section 250.60 Selection of Portable Fire Extinguishers

- a) NFPA 10 (1988) Sections 2-1 and 2-2.1 are hereby incorporated by reference.
- b) Extinguishers for protection of Class A hazards shall be selected from the following: water, antifreeze, film forming fluoroprotein (FFFP), aqueous film forming foam (AFFF), wetting agent, loaded stream, multipurpose dry chemical, Halon 1211, and Halon 1211/1301.
- c) Extinguishers for protection of Class B hazards shall be selected from the following: aqueous film forming foam (AFFF), carbon dioxide, dry chemical types, film forming fluoroprotein (FFFP), and halogenated agent types.
- d) NFPA 10 (1988) Sections 2-2.1.3, 2-2.1.4, 2-3.1 through 2-3.6, and 2-4.1 are hereby incorporated by reference.
- e) Airport Protection. Fire extinguishers containing ammonium phosphate base dry chemical (ABC) shall not be installed or positioned in such areas of an airport that present the likelihood of discharged fire extinguishing agent reaching and making contact with the outer skin of parked aircraft.
- f) Aircraft Fire Protection.
- 1) Halogenated Agents. Only halogenated agents specified in this standard shall be used in hand fire extinguishers in aircraft. Halon 1211 shall meet the requirements of Military Specification MIL-B-38741. Halon 1301 shall meet the requirements of Military Specification MIL-M-12218C.
- A) Halon 1211 Extinguishers.

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- i) For occupied spaces on aircraft, Halon 1211 extinguishers shall not be less than 2 1/2 lb. (1.2 kg) capacity, and shall not be more than 5 lb. (2.3 kg) capacity. These extinguishers shall have a minimum 5-B:C rating, not less than 8-seconds effective discharge time, not less than a 10-ft. (3-m) liquid range, and may be equipped with a discharge hose.
 - ii) For occupied spaces on small aircraft only, with a maximum certified occupant of one to four persons including the pilot, a Halon 1211 extinguisher with a minimum 2-B:C rating may be used as an option to the Halon 1301 extinguisher specified in Table 3-1.1 NFPA 408 (1989).
 - iii) For accessible cargo compartments of COMBI aircraft and cargo aircraft, Halon 1211 extinguishers shall not be less than 13 lb. (5.9 kg) capacity, and shall have a minimum 2A-40B:C rating.
 - iv) The total Halon 1211 agent available in all extinguishers in any single compartment, if discharged simultaneously, shall not be capable of producing a concentration greater than 2 percent by volume at 120°F (49°C) in the compartment.
- B) Halon 1301 Fire Extinguishers.
- i) For occupied spaces on aircraft, Halon 1301 extinguishers shall have a minimum 2B:C rating, and shall have an effective discharge time of not less than 8 seconds.
 - ii) For accessible cargo compartments of COMBI aircraft and cargo aircraft, Halon 1301 extinguishers may be provided in addition to required extinguishers specified in NFPA 408 (1989) Section 3-2.2.
 - iii) The total Halon 1301 agent available in all extinguishers in any single compartment, if discharged simultaneously, shall not be capable of producing a concentration greater than 5 percent by volume at 120°F (49°F) in the compartment.

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- 2) Carbon Dioxide.
 - A) For occupied spaces on aircraft, carbon dioxide (CO2) extinguishers shall not be used.
 - B) For cargo compartments of COMBI aircraft and cargo aircraft, CO2 extinguishers shall not be used.
- 3) Dry Chemical.
 - A) For occupied spaces on aircraft, dry chemical extinguishers shall not be used.
 - B) For cargo compartments of COMBI aircraft and cargo aircraft, dry chemical extinguishers shall not be less than 10 lb. (4.5 kg) capacity, and shall have a minimum 2A-40B:C rating.
- 4) Dry Powder.
 - A) For occupied spaces on aircraft, dry powder extinguishers for Class D fires shall not be used.
 - B) For accessible cargo compartments of COMBI aircraft and cargo aircraft, dry powder extinguishers for Class D fires may be provided in addition to required extinguishers specified in NFPA 408 (1989) Section 3-2.2.
- g) Aircraft Fuel Servicing.
 - 1) Aircraft Servicing Ramps or Aprons.
 - A) At the remote emergency station near the pumps an additional dry chemical extinguisher rated at least 20-B shall be provided. Wheeled extinguishers shall be equipped with non-sparking wheels.
 - B) Portable fire extinguishers shall be available on aircraft servicing ramps or aprons where the open hose discharge capacity of the aircraft fueling system or equipment is not more than 200 gallons per minute (750 L/min), at least two listed extinguishers having a rating of not less than 20-B each shall be provided.

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C) Where open hose discharge capacity of the aircraft fueling system or equipment is more than 200 gallons per minute (750 L/min) but not over 350 gallons per minute (1300 L/min), at least one listed wheeled extinguisher having a rating of not less than 80-B and a minimum capacity of 125 pounds (55 kg) of agent shall be provided. Wheeled extinguishers shall be equipped with non-sparking wheels.

D) Where the open hose discharge capacity of the aircraft fueling system or equipment is more than 350 gallons per minute (1300 L/min), at least two listed wheeled extinguishers each having a rating of at least 80-B and a minimum capacity of 125 pounds (55 kg) of agent shall be provided. Wheeled extinguishers shall be equipped with non-sparking wheels.

2) Aircraft Fuel Servicing Vehicles.

A) Each aircraft fuel servicing tank vehicle shall have two listed extinguishers each having a rating of at least 20-B, mounted one on each side of the vehicle.

B) Each hydrant vehicle shall have one listed extinguisher having a rating of at least 20-B installed on it.

3) Fueling at Roof-Top Heliports.

A) Two dry chemical extinguishers rated at least 20-B each and at least one 160-B dry chemical extinguisher shall be provided on the landing areas.

B) At the remote emergency station near the pumps an additional dry chemical extinguisher rated at least 20-B shall be provided.

h. Aircraft Ramp Fire Protection. At least one wheeled extinguisher having a rating of not less than 60-B and a minimum capacity of not less than 125 lb. (55 kg) shall be provided at each gate or stand, or at intervals of 200 ft (61m) along the length of aircraft ramps.

i) Aircraft Maintenance. NFPA 410 (1985) Sections 5-4, 6-4.5, and are hereby incorporated by reference.

j. Miscellaneous. NFPA 10 (1988) Section 2-4.2 is hereby incorporated by reference.

Section 250.70 Distribution of Portable Fire Extinguishers

a) NFPA 10 (1988) Sections 3-1.1, 3-1.2, 3-1.2.1, 3-1.2.2, 3-1.2.3, 3-1.2.4, 3-1.3, 3-1.4, 3-2.1, and 3-2.1.1 are hereby incorporated by reference.

b) All fire extinguishers shall have a pictorial classification decal affixed to the front of the extinguisher, if such pictorial markings are not already provided on the manufacturer's label. Markings shall be applied by decals that are durable and color fade resistant on a single label. Such markings shall comply with NFPA 10 (1988) Appendix B-1-1.

c) NFPA 10 (1988) Sections 3-2.3 and 3-2.4 are hereby incorporated by reference.

d) NFPA 10 (1988) Sections 3-3.1, 3-3.2 (however exceptions 1 and 2 are not incorporated), table 3-3.1, 3-3.3, 3-4.1, 3-4.2, 3-4.3 (however the exception is not incorporated), 3-4.4, and 3-4.4.1 are incorporated by reference.

e) Fire extinguishers manufactured in 1955 or before shall be removed from service.

f) NFPA 10 (1988) Sections 3-5, 3-6.1 3-6.2 and 3-6.3 are incorporated by reference.

Section 250.80 Inspection, Maintenance, and Recharging

a) NFPA 10 (1988) Section 4-1.1 is hereby incorporated by reference.

b) The procedure for inspection and maintenance of fire extinguishers varies considerably. Minimal knowledge is necessary to perform a monthly "quick check" or inspection in order to follow the inspection procedure as outlined in Section 4-3. A trained person who has undergone the instructions necessary to reliably perform maintenance and has the manufacturers' service manual (if such manuals are in current print) shall service the fire extinguishers not more than one year apart, as outlined in Section 4-4.

c) The owner or occupant of a property in which fire extinguishers are located shall ensure that a licensed fire equipment distributor/licensed employee performs servicing, maintenance, recharging, hydro-testing, installing, inspecting, and proper placement of the fire extinguishers.

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- d) NFPA 10 (1988) Sections 4-1.4, 4-2.1, and 4-2.2 are hereby incorporated by reference.
- e) Recharging is the replacement of all or part of the extinguishing agent and also includes the expellant for certain types of extinguishers. Partially discharged extinguishers, those removed for six year maintenance or hydro-static test shall be emptied. The dry chemical agent may be re-used provided a closed recovery system is used and that the chemical is thoroughly checked for the proper type, contamination and condition. Where doubt exists with respect to the type, contamination and conditions of the dry chemical, the dry chemical shall be discarded.
- f) Internal Maintenance Label.
- 1) In addition to any other tag or label in this rule, an internal maintenance label shall be affixed each time a stored pressure extinguisher is opened for any six year maintenance or recharge or hydro-test. The following types of extinguishers are exempt from this requirement: Carbon Dioxide Extinguishers; Halogenated Vaporizing Liquid Extinguishers; External Cartridge Operated Extinguishers; and Extinguishers Containing Water or other liquids.
- 2) The internal maintenance label shall be a minimum size 3/4" X 4" on tyvek paper material or equivalent, with a pressure sensitive adhesive backing conforming to UL 969 (1982).
- 3) The internal maintenance label shall include the following information:
- A) Distributor Name and License Number.
 - B) Employee Name and License Number.
 - C) Month and Year that the internal maintenance was performed.
- 4) Label shall be white in color with black printing.
- 5) The internal maintenance label shall be affixed in the following manner:
- A) Any label previously affixed shall be removed prior to affixing a new label.

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- B) The area to which the label is to be adhered shall be cleaned to remove all residue of any kind, including old adhesive from a previously attached label.
- C) The label shall be placed on the syphon tube within 5" of the bottom of the valve assembly.
- D) The adhesive side of the center point of the label shall be tightly adhered against the tube.
- E) The label shall be pressed and adhered solidly around the syphon tube and the remaining length of the label shall be tightly pressed together to insure a complete bond of the adhesive sides of the label.
- 6) See Appendix A, Figure 1 for label requirements.
- g) Halon Extinguishers.
- 1) An electronic leak detector shall be used to detect leaks in Halon Fire extinguishers whenever the extinguisher has been recharged or a six year internal maintenance has been performed.
- 2) Halon removed from a fire extinguisher shall be kept in a closed recovery system until a disposition of whether to reuse the halon or return the Halon to a manufacturer for proper disposal can be made. A Halon recovery/charging system with a clear sight glass for viewing the cleanliness of the Halon as it flows into the recovery container shall be used whenever an extinguisher is recharged or emptied while performing a six year internal maintenance or hydro-static test.
- h) Inspections. NFPA 10 (1988) Sections 4-3.1, 4-3.2, 4-3.3, 4-3.3.1, and 4-3.3.2 are hereby incorporated by reference.
- i) Maintenance.
- 1) NFPA 10 (1988) Sections 4-4.1, 4-4.1.1, and 4-4.1.3 are hereby incorporated by reference.
- 2) Only CO2 and Nitrogen cartridges that are factory filled or filled by a manufacturers approved cartridge refill company shall be acceptable under this standard.
- 3) Any Class 1 employee and/or Class A Distributor licensed under this act shall:

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- A) Receive approval from the customer or his agent before removing extinguisher(s) from customer's premises.
- B) Furnish the customer or his agent with a written receipt.
- C) Return to the customer the same fire extinguisher as was removed from the customer's premises and not exchange fire extinguisher(s), unless he has received authorization from the customer to do so.
- D) A service agency removing the fire extinguisher(s) from the customer's property, for any reason, must return said property to the customer no later than 15 business days from the date of removal, unless an extended period is approved by the customer.
- E) A service agency removing portable fire extinguisher(s) from a customer's premises for any reason, for a period of time more than 24 hours, shall provide the customer with one (1) temporary fire extinguisher for every three (3) portable fire extinguishers removed from the premises. It is the intent of this paragraph to provide loaner extinguishers only after exhausting the customer's supply or required spare extinguishers.
- F) NFPA 10 (1988) Section 4-4.2 is hereby incorporated by reference.
- G) At the time of the annual maintenance, the hose or horn or nozzle on the extinguisher shall be removed and checked for damaged threads or visible obstructions and blown thru with an air device to clear any foreign material and then be reinstalled on the extinguisher.
- H) Maintenance Procedure for Cartridge Operated Dry Chemical/Dry Powder fire extinguishers. Annual maintenance procedures shall include a thorough examination of the mechanical parts and expelling means as well as a complete emptying of the agent into a closed recovery system. The dry chemical/dry powder agent may be reused provided a closed recovery system is used and the agent is stored in a sealed container and is checked for proper type, contamination and condition.

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- I) A conductivity test shall be conducted on all carbon dioxide hose assemblies each and every time the carbon dioxide extinguisher(s) are recharged or when performing the annual maintenance. Hose assemblies which have failed the conductivity test shall be replaced.
 - i) When the conductivity test has been performed, a label shall be affixed to the hose assembly with the date and license number of the person that performed the conductivity test.
 - ii) See Appendix A, Figure 2 for the requirements of the Conductivity Test Label.
- J) State certification tags, hydrostatic test labels, external six (6) year maintenance labels, internal maintenance labels, conductivity test labels, and hose testing labels shall be attached or affixed to the fire extinguisher beginning January 1, 1991. Certification tags and all labels that have expired shall be removed. See Appendix A, Figure 3 for requirement for hydrostatic testing label.
- K) NFPA 10 (1988) Section 4-4.3.2 is hereby incorporated by reference.
- L) When a Six (6) year maintenance is performed, a pressure sensitive label (blue in color, see specifications) shall be placed on the side of the cylinder, where the carrying handle is located. This label shall include the month and year the Six (6) year maintenance was performed, the name and state license number of the distributor, and the employee performing the Six (6) year maintenance. See Appendix A, Figure 4 for requirements for the Six (6) Year Maintenance Label.
- M) NFPA 10 (1988) Sections 4-5.1.1 and 4-5.1.3 are hereby incorporated by reference. When performing the recharging, the recommendations of the manufacturer shall be followed.

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- N) Every 12 months pump tank water and pump tank calcium chloride base antifreeze types of extinguishers shall be recharged with new chemicals or water as applicable. Note: All inverting type extinguishers, fiberglass water extinguishers, and stainless steel dry chemical fire extinguishers shall be removed from service.
- O) NFPA 10 (1988) Sections 4-5.2.2 and 4-5.2.3 are hereby incorporated by reference.
- P) Only those agents specified on the nameplate or materials proven to have equal or greater chemical composition and physical characteristics should be used. Tests should be conducted to assure equal or greater performance.
- Q) NFPA 10 (1988) Sections 4-5.3.2 through 4-5.3.15 are hereby incorporated by reference. When installing a new carbon-dioxide valve or reinstalling an existing carbon-dioxide valve, teflon tape shall be used as a thread sealant. Note: Carbon-dioxide fire extinguishers using a valve thread "O" ring are exempt from this rule.
- j) Hydrostatic Testing.
- 1) NFPA 10 (1988) Sections 5-1 through 5-3.1.2 are hereby incorporated by reference.
 - 2) After a carbon dioxide or dry chemical/dry powder hose assembly passes a hydrostatic test, a hose test label shall be affixed to the hose assembly. See Appendix A, Figure 5 for specifications for hose test label.
 - 3) Stored Pressure water, loaded stream, and/or antifreeze, wetting agent, AFFF, FFFP, Carbon Dioxide extinguisher types shall have hydro-test intervals of five years. Stored pressure dry chemical/dry powder extinguishers with mild steel shells, brazed shells, or aluminum shells, extinguishers containing halogenated agents, cartridge or cylinder operated dry powder/dry chemical extinguishers with mild steel shells shall have hydrostatic test intervals of 12 years. Note:
 - A) All types of extinguishers with copper or brass shells joined by soft solder are prohibited from hydrostatic testing due to the manufacturers' recall.

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- B) The DOT requires certain stored pressure extinguishers be hydrostatically tested more frequently, thus Title 49 C.F.R. Section 173.34 shall be considered part of the requirement of this document. Hydrostatic test frequencies may vary according to DOT specifications.
- 4) NFPA 10 (1988) Sections 5-3.2 through 5-5.1.2 are hereby incorporated by reference.
- A) Cylinders failing Hydrostatic Tests:
- i) For the purpose of these rules and regulations, high pressure cylinders are those with a marked service pressure of 900 PSI or greater; low pressure cylinders are those with a marked service pressure of less than 900 PSI.
 - ii) Each high pressure cylinder failing a volumetric expansion hydrostatic test, external or internal visual inspection shall be marked (stamped) REJECT in characters not less than 1/4 inch high, leaving one space between each letter. The stamped impression shall be painted with a silver rust resistant paint.
 - iii) Each low pressure cylinder failing a hydrostatic test, external or internal visual inspection shall be marked REJECT in characters not less than two (2) inch high across the side of the cylinder with an indelible marker.
- B) NFPA 10 (1988) Sections 5-5.2 and 5-5.3 are hereby incorporated by reference.
- C) For compressed gas cylinders and cartridges passing a hydrostatic test, the month, year, and the Distributor's DOT license number shall be stamped into the cylinder in accordance with the requirements set forth by DOT and the stamped impression shall be painted with a rust preventative paint.
- Note: It is important that the recording (stamping) be placed only on the shoulder, top head, neck, or footring (when so provided) of the cylinder.

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D) Whenever a low pressure hydrostatic test is performed, a pressure sensitive label (silver in color, see Appendix A, Figure 3) shall be placed on the side of the cylinder where the carrying handle is located. This label shall include the month and year the hydrostatic test was performed, the pressure at which the extinguisher was tested, and the name and state license number of the distributor/employee performing the hydrostatic test.

K) NFPA 10 (1988) Chapter 6 is hereby incorporated by reference, and the following NFPA Standards are also included, as described in NFPA 10 (1988) Section 6-1:

NFPA 407 (1985), Standard for Aircraft Fuel Servicing
 NFPA 408 (1989), Standard for Aircraft Hand Fire Extinguishers
 NFPA 409 (1985), Standard on Aircraft Hangers
 NFPA 410 (1989), Standard on Aircraft Maintenance
 NFPA 415 (1983), Standard on Aircraft Fueling Ramp Drainage
 NFPA 418 (1979), Standard on Rooftop Helicopter Construction and Protection

Section 250.82

Tagging

- a) A State certification tag shall be attached to the front of the portable fire extinguisher each time a maintenance or recharge is performed.
- b) All tags that are exposed to the outdoor elements shall be enclosed in a plastic tag protector, unless made of a weather resistant material.

Section 250.83

Certification Tags

- a) Each fire extinguisher shall have a certification tag securely attached that indicates the month and year the maintenance was performed and said tag shall meet all requirements as specified in other parts of these rules and regulations. The tag shall indicate whether or not recharging was performed. Maintenance shall be performed on a new fire extinguisher and a certification tag attached before placing it in service.
- b) A certification tag, when attached to a fire extinguisher, indicates that the fire extinguisher has been thoroughly checked and found to be:

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- 1) Fully charged and ready for use.
- 2) In safe operable condition.
- 3) Within current hydro-static test requirements.
- 4) Maintained as required.
- 5) Meeting all requirements to these rules and regulations.

Note: No certification tags shall be attached to any fire extinguisher found to be in non-compliance with these rules and regulations.

c) Approved certification tags shall meet the following specifications:

- 1) Size: 2 5/8" x 5 1/4" (No. 6 size)
- 2) 10 to 13 Point type size.
- 3) Minimum of 12 Point tag stock or a more durable material.

d) Certification service tags shall bear the following information on the front of the tag: (As illustrated in Appendix A, Figure 6)

- 1) "Do Not Remove by Order of the State Fire Marshal" (in the color of red).
- 2) Signature of person who performed the maintenance of the extinguisher.
- 3) State License Number of person who performed the maintenance of the extinguisher.
- 4) Name of Distributor, State License Number, Street Address, City, State and Phone number.
- 5) Type of Maintenance performed (Shall be punched).
- 6) Type of Extinguisher/item serviced (Shall be punched).
- 7) Month serviced (Shall be punched).
- 8) Department of Transportation approval number (if applicable).

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e) The reverse side:

- 1) "Serial number" of cylinder (optional).
- 2) Room for initials of owner's employee performing monthly inspection.
- 3) "Municipal License Number" (if applicable).
- 4) "Gross Weight" (optional).

f) Certification tag will use the following colors;

- 1) 1991 - Light Blue
- 2) 1992 - White
- 3) 1993 - Yellow
- 4) 1994 - Orange
- 5) 1995 - Light Green

6) Following years will follow in consecutive color order.

g) The certification tag shall have only one year printed on it.

Section 250.85 Tamper Seals

- a) At the time of the maintenance, the tamper seal shall be removed by operating the pull pin or locked device. After the applicable maintenance procedures are completed, a new tamper seal shall be reinstalled.
- b) Only tamper seals meeting ANSI/UL711 Standards shall be used. The color of the tamper seal shall coincide with the color of the certification tag. See Appendix A, Figure 7 for requirements and specifications for tamper seals.

Section 250.90 License Number

The initial distributor license number that a Fire Equipment Distributor receives from the State of Illinois for a Class A license, shall remain the same indefinitely, provided that it is renewed annually and continues to meet the law and the Rules and Regulations criteria.

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Section 250.93 Labeling

- a) A hydrostatic test label meeting the requirements of Section 250.80 shall be affixed to a cylinder whenever such testing is performed. It shall be placed on the side of the cylinder where the carrying handle is located.
- b) A six year maintenance label meeting the requirements of Section 250.80 shall be affixed to the outside of the cylinder whenever such a six year maintenance is performed. It shall be placed on the side of the cylinder where the carrying handle is located.

Section 250.95 Replacement and Defective Parts

Extinguisher replacement parts shall meet the original extinguisher manufacturer's established requirements, specifications and quality standards for those parts.

- a) Distributors purchasing replacement parts from a supplier other than the original extinguisher manufacturer must have on record a certificate from the supplier that the parts were purchased from the original extinguisher manufacturer. Exceptions:

- 1) Manufacturers that no longer exist.
- 2) Extinguisher models for which the original manufacturer no longer carries parts.
- 3) Where the manufacturer of replacement parts certifies that the replacement parts meet the original manufacturer's requirements.
- b) Defective parts requiring replacement shall be returned to the customer and so noted on the delivery ticket.

Section 250.97 Sub-Contracting

When Hydro-Testing is subcontracted to satisfy the minimum equipment and facility requirements of this Act and these rules, the subcontractor shall meet the requirements of this Act and these Rules and state so on an affidavit, notarized and submitted with the distributor's application for license.

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SUBPART B: PRE-ENGINEERED FIRE SUPPRESSION SYSTEMS

Section 250.201 Scope

Subpart B provides the minimum requirements for a Class "B" Distributor and a Class 2 Employee license for the required maintenance, recharging, hydrotesting, servicing, revising, installation and inspection of all types of pre-engineered fire suppression systems.

Section 250.210 Definitions

"Pre-Engineered Systems". Pre-Engineered Systems are those having predetermined flow rates, nozzle pressures, and quantities of extinguishing agents. These systems may have specific pipe size, maximum and minimum pipe lengths, flexible hose specifications, number of fittings and number and types of nozzles prescribed by a testing lab. The hazards protected by these systems are specifically limited to as to type, size, by a testing lab based upon actual fire tests. Limitations on hazards which can be protected by those systems are contained in the manufacturer's installation manual, which is referenced as part of the listing.

"Manufacturer's Certified Distributor". The term, Manufacturer's Certified Distributor, means a Distributor who is currently authorized by a manufacturer of a pre-engineered system(s) to design, redesign, or install that manufacturer's equipment.

"Approved". The term, approved, means meeting the requirements of the Illinois State Fire Marshal's office contained in 41 Ill. Adm. Code Part 250.

"Apprentice". An individual who has applied for a certain class of license, and who is training under the direct supervision of an employee who holds the same class of license for which the apprentice has applied.

Section 250.213 Apprentice

A licensed Class 2 employee shall supervise all work performed by the apprentice and the employee's license number shall appear on all tags and labels where it is required.

- a) There shall be no more than one (1) apprentice per licensed employee in each class.

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- b) The apprenticeship period shall be for a maximum of twelve (12) months or three (3) testing periods from the date of application, whichever is longer. The Apprentice period will end upon receiving the license. If after the apprenticeship period the applicant has, from the date of application, failed to obtain a license as applied for, the individual shall be removed from the apprenticeship program. The individual shall be reapply after one (1) year from the end of the previous apprenticeship period.

- c) It shall be the Distributor's responsibility, within the thirty (30) days of employment, to submit an application to the State Fire Marshal's Office for an employee license in the respective class that the employee will be training.

Section 250.215

Maintenance, Recharging, Hydro-Testing, Servicing, and Inspection of Pre-Engineered Fire Suppression Systems.

- a) A Class B licensed Distributor/Class 2 licensed employee can only maintain, recharge, hydro-test, service and inspect pre-engineered systems if the distributor:

- 1) Is a Manufacturer Certified Distributor for a minimum of one UL (Underwriter's Laboratory) Listed Pre-Engineered manufacturer.
 - 2) States on his Class B application which manufacturer's pre-engineered system(s) the distributor intends to maintain, recharge, hydro-test, service and inspect.
 - 3) Has the manufacturer's installation manuals, all updates, chemicals, and necessary tools for the manufacturer's pre-engineered system(s) the distributor intends to maintain, recharge, hydro-test, service and inspect.
 - 4) The distributor's employee(s) must pass a special examination applicable to the manufacturer's pre-engineered system(s) the employee intends to maintain, recharge, hydro-test, service and inspect.
- b) Class A Distributors and Class 1 licensed employees may perform recharging and hydro-testing functions enumerated in 250.30 (e) and (f) on pre-engineered systems.

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- c) A service agency removing system agent cylinder(s) from a system required by NFPA 96 (1987), Section 7-1.1 shall provide loaner system agent cylinder(s) when the customer's cylinder(s) are removed from the premises and during which time the customer's cooking facilities will remain operational.

Section 250.216 Manufacturer Certified Distributor

Only "manufacturer certified distributors" are allowed to design, redesign, and install pre-engineered fire suppression systems for that manufacturer.

Section 250.220 Compliance Standards

The following standards of the National Fire Protection Association (NFPA), with no later editions or amendments, are hereby adopted and incorporated by reference:

- a) NFPA 96 (1987)
- b) NFPA 17 (1985)
- c) NFPA 17A (1986)
- d) NFPA 12 (1989) except Sections 1-10.1 through 1-10.1.5 shall apply only to new or replacement piping and fittings.
- e) NFPA 12A (1989) except Sections 1-10.1 through 1-10.1.6 shall apply only to new or replacement piping and fittings.
- f) NFPA 12B (1985)
- g) NFPA 72E (1987)

Section 250.225 Required Equipment

Refer to the "Minimum Equipment and Facility Requirements" list for the required equipment for a Class B Distributor license. See Section. 250.TABLE A.

Section 250.230 Tagging

- a) A State certification tag (see Section 250.232) shall be affixed to the system each time maintenance is performed, when a system is initially installed or when it is revised.
- b) All tags that are exposed to the outdoor elements shall be enclosed in a plastic tag protector, unless made of a weather resistant material.

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- c) On Pre-Engineered Suppression Systems, the certification tag shall be attached to the control panel or cylinder control head, whichever is applicable.

Section 250.232 Certification Tag

- a) State Certification Service tags shall bear the following information on the front of the tag, (As illustrated in Appendix A, Figure 11):

- 1) "Do Not Remove by Order of the State Fire Marshal" (in red).
- 2) Signature of person who performed the maintenance.
- 3) State License Number of person who performed the maintenance.
- 4) Name of Distributor, State License Number, Street Address, City, State and Phone number.
- 5) Type of Maintenance performed (Shall be punched).
- 6) Type of System involved (Shall be punched).
- 7) Month serviced (Shall be punched).
- 8) Type of Class, Engineered or Pre-Engineered (Shall be punched).
- 9) Department of Transportation approval number (if applicable).

b) The reverse side:

- 1) "Serial number" of cylinder (optional).
- 2) Room for initials of employee performing monthly inspection.
- 3) "Municipal License Number" (if applicable).
- 4) "Gross Weight" (optional).
- c) Certification tag will use the following colors;
 - 1) 1991 - Light Blue
 - 2) 1992 - White
 - 3) 1993 - Yellow

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- 4) 1994 - Orange
- 5) 1995 - Light Green
- 6) Following years will follow in consecutive color order.
- d) The certification tag shall have only one year printed on it.
- e) The certification tag shall meet the following specifications:
 - 1) Size: 2 5/8" x 5 1/4" (No. 6 size)
 - 2) 10 to 13 Point type size.
 - 3) Minimum of 12 Point tag stock or a more durable material.

Section 250.233 Tamper Seals

- a) Only color coded UL Tamper Seals meeting ANSI/UL-711 Standards for the same color so designated for that year for the approved certification tag shall be used to seal or reseal a Fire Suppression System.
- b) All Fire Suppression Systems shall have existing tamper seals removed during any maintenance and new UL tamper seals of the same color of the current tag installed.
- c) All tamper seals shall bear the UL recognized component mark illustrated in Appendix A, Figure 7. The recognized component mark will be located on the exit side of the flag portion of the tamper seal.

Section 250.235 Non-Compliance Tag

Whenever a pre-engineered fire suppression system is serviced and is found to be in violation of these rules and regulations, it shall be tagged with a non-compliance tag meeting the requirements of Appendix A, Figure 8 rather than a certification tag. The deficiency or deficiencies shall be noted on the non-compliance tag.

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Section 250.245 License Number

The initial distributor license number that a fire equipment distributor receives from the State of Illinois for a Class "B" license, shall remain the same provided that it is renewed.

Section 250.250 Labeling.

- a) A hydrostatic test label meeting the requirements of Section 250.80 shall be affixed to a cylinder whenever a low pressure test is performed. It shall be placed on the front of the cylinder.
- b) A six year maintenance label meeting the requirements of Section 250.80 shall be affixed to the outside of the cylinder whenever such a six year maintenance is performed. It shall be placed on the front of the cylinder.

Section 250.260 Pre-Piped Systems

Pre-engineered fire suppression systems which are pre-piped in a hood and duct or other modular assembly and shipped to a location in Illinois shall be completed and certified by a Class 2 licensed employee.

Section 250.265 Replacement and Defective Parts

- a) Replacement parts shall meet the original manufacturer's established requirements, specifications and quality standards for those parts.
- b) Distributors purchasing replacement parts from a supplier other than the original manufacturer must have on record a certificate from the supplier that the parts were purchased from the original manufacturer.
- c) Exceptions:
 - 1) Manufacturers that no longer exist.
 - 2) Models for which the original manufacturer no longer carries parts.
 - 3) Where the manufacturer of replacement parts certifies that the replacement parts meet the original manufacturer's requirements.

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- d) Defective parts requiring replacement shall be returned to the customer and so noted on the delivery ticket.

Section 250.270 Sub-Contracting

- a) When a distributor subcontracts final checkout service or maintenance of a pre-engineered fire suppression system, they shall use a Class "B" licensed distributor. The subcontracted licensed distributor who actually performs the work must secure the certification tag to the system indicating the type of work performed.

- b) When Hydro-Testing, Cylinder Drying, and Refilling, is subcontracted to satisfy the minimum equipment and facility requirements of this Act and these rules, the subcontractor shall meet the requirements of this Act and these rules and state so on an affidavit, notarized and submitted with the distributor's application for license.

Section 250.280 Non-Compliance Reports

When deficiencies are found on a Pre-Engineered Fire Suppression System, a non-compliance report shall be submitted to the owner and, if not corrected in 30 days, the State Fire Marshal's office. This report shall indicate deficiencies in the design and/or installation, and shall also indicate deficiencies that would effect the operation of the system. See Appendix A, Figure 9 for specifications and requirements for Non-Compliance Reports. The following are some examples of deficiencies that shall be reported on the restaurant fire suppression system:

- a) Improperly Located Appliances. Appliances producing grease laden vapors shall be located completely under the exhaust hood.
- b) Hood, Duct, and/or Appliance Unprotected. Approved fire suppression systems shall be provided for the protection of duct systems, grease removal devices, and hoods. Cooking equipment (such as deep fat fryers, ranges, griddles, and broilers) that may be a source of ignition of grease in the hood, grease removal device, or duct shall be protected by approved fire suppression system.

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- c) Fuel or Power Shut Off Inadequate. The operation of any fire suppression system shall automatically shut off all sources of fuel and heat to all equipment requiring protection by a fire suppression system. Any gas appliance not requiring protection but located under ventilating equipment shall also be shut off. All shut-off devices shall be considered an integral part of the system and shall function with the system operation. The fuel or power to all appliances under protected ventilating equipment shall be shut down when a wet chemical system is installed.
- d) System Not Serviced. Maintenance of the fire suppression system by licensed persons shall be made at least every six months.
- e) Fusible Links Not Replaced. Fusible metal alloy links shall be replaced annually or at a more frequent intervals as specified by the manufacturer of the system.
- f) System Does Not Meet Manufacturer's Installation Specifications. Pre-Engineered Systems, those having predetermined flow rates, nozzle pressures, and quantities of extinguishing agents. These systems have the specific pipe size, maximum and minimum pipe lengths, flexible hose specifications, number of fittings and number and types of nozzles prescribed by a testing laboratory. The hazards protected by these systems are specifically limited as to type and size by a testing laboratory based upon actual fire testing. Limitations on hazards which can be protected by these systems are contained in the manufacturer's installation manual which is referenced as part of the listing.

Section 250.290

Certificate of Completion

As per approved sample in Appendix A, Figure 10, a Certificate of Completion shall be completed on all new and redesigned installations of Pre-Engineered Fire Suppression Systems. A copy of the Certificate of Completion shall be sent to the Office of the State Fire Marshal, Springfield, IL.

SUBPART C: ENGINEERED FIRE SUPPRESSION SYSTEMS

Section 250.301

Scope

Subpart C provides minimum requirements for Class C Distributor and Class 3 Employee License for servicing, recharging, hydro-testing, maintaining, inspecting or engineering all types of Engineered Fire Suppression Systems. "Fire Suppression Systems" shall not include automatic water only sprinkler systems.

Section 250.310 Definitions

"Engineered Fire Suppression Systems". The term, Engineered Fire Suppression Systems, shall mean detection and special agent Fire Suppression Systems requiring individual calculation and design, the components of which have been tested and listed or approved by a nationally recognized testing laboratory. "Engineered Fire Suppression Systems" shall not include automatic water only sprinkler systems.

"Engineering". The term, Engineering, means working within the manufacturers parameters of the Fire Suppression systems and components to design a system to protect a specific hazard. The design shall meet the applicable Fire Protection Codes and Standards.

"Approved". Meeting the requirements of the Illinois State Fire Marshal's office contained in 41 Ill. Adm. Code Part 250.

"Apprentice". An individual who has applied for a certain class of license, and who is training under the direct supervision of an employee who holds the same class of license for which the apprentice has applied.

Section 250.315 Apprentice

A licensed Class 3 employee shall supervise all work performed by the apprentice and the employee's license number shall appear on all tags and labels where it is required.

- a) There shall be no more than one (1) apprentice per licensed employee in each class.
- b) The apprenticeship period shall be for a maximum of twelve (12) months or three (3) testing periods from the date of application, whichever is longer. The Apprentice period will end upon receiving the license. If after the apprenticeship period the applicant has failed to obtain a license as applied for, the individual shall be removed from the apprenticeship program. The individual may reapply after one (1) year from the end of the previous apprenticeship period.
- c) It shall be the Distributor's responsibility, within the thirty (30) days of employment, to submit an application to the State Fire Marshal's Office for an employee license in the respective class that the employee will be training.

Section 250.320 Compliance Standards

The following standards of the National Fire Protection Association (NFPA) with no later editions or amendments are hereby adopted and incorporated by reference:

- a) Low Expansion Foam and Combined Agent Systems designated as NFPA 11, 1988 edition.
- b) Medium- and High-Expansion Foam Systems designated as NFPA 11A, 1988 edition.
- c) Carbon Dioxide Extinguishing Systems designated as NFPA 12, 1989 edition, except that Sections 1-10.1 through 1-10.1.5 shall apply only to new or replacement piping and fittings.
- d) Halon 1301 Fire Extinguishing Agent Systems designated as NFPA 12A, 1989 edition, except that Section 1-10.1 through 1-10.2.6 shall apply only to new or replacement piping and fittings.
- e) Halon 1211 Fire Extinguishing Systems designated as NFPA 12B, 1985 edition.
- f) Dry Chemical Extinguishing Systems, designated as NFPA 17, 1985 edition.
- g) Installation, Maintenance, and Use of Local Protective Signaling Systems for Guard's Tower, Fire Alarm, and Supervisory Service, designated as NFPA 72A, 1987 edition.
- h) Restaurant hood and duct fire extinguishing system designated as NFPA 96, 1987 edition.
- i) Automatic Fire Detectors designated as NFPA 72E, 1987 edition.

Section 250.330 Required Equipment

Refer to the "minimum equipment and facilities requirements" list in Section 250.TABLE A, for the required equipment for a Class C Distributor license.

Section 250.340 Tagging

- a) A State certification tag shall be affixed to the system each time maintenance is performed, when a system is initially installed or when it is revised.

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- b) Tags exposed to outdoor elements shall be enclosed in a plastic tag protector, unless made of a weather resistant material.
- c) On Engineered Fire Suppression Systems, the certification tag shall be attached to the control panel or cylinder control head, which ever is applicable.
- d) Only State certification tags shall be attached to the engineered fire suppression system where applicable after January 1, 1991. Certification tags that have expired, shall be removed.

Section 250.341 Certification Tag

- a) Certification tags shall bear the following information on the front of the tag as illustrated in Appendix A, Figure 11:
 - 1) "Do Not Remove by Order of the State Fire Marshal" (in red).
 - 2) Signature of person who performed the maintenance.
 - 3) State License Number of person who performed the maintenance.
 - 4) Name of Distributor, State License Number, Street Address, City, State, and phone number.
 - 5) Type of Maintenance performed. (Shall be punched)
 - 6) Type of System. (Shall be punched)
 - 7) Month Serviced. (Shall be punched)
 - 8) Type of Class (Engineered or Pre-Engineered). (Shall be punched)
 - 9) Department of Transportation approval number, if applicable.
- b) The reverse side:
 - 1) "Serial number" of cylinder (optional).
 - 2) Room for initials of employee performing monthly inspection.
 - 3) "Municipal License Number" (if applicable).
 - 4) "Gross Weight" (optional).
- c) Certification tags will use the following colors:

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- 1) 1991 - Light Blue
- 2) 1992 - White
- 3) 1993 - Yellow
- 4) 1994 - Orange
- 5) 1995 - Light Green
- 6) Following years will follow in consecutive color order.
- d) The certification tag shall have only one year printed on it.
- e) The certification tag shall meet the following specifications:
 - 1) Size: The tag shall be a standard #6 size (2 5/8" x 5 1/4")
 - 2) Stock: The tag shall be of a 13 point clay coated sulphite (CSU) stock that is 100% chemical wood pulp and has a thickness of 0.013 to a maximum thickness of 0.015; as per the "Tag and Label Manufacturer's Institute" (TLMI) guidelines.
 - 3) Colors: The tag colors shall be standard "Light Blue", "White", "Yellow", "Orange" and "Light Green" as recognized by the Tag and Label Industry.
 - 4) Inks: The inks used shall be Tyvek red and Tyvek Black (or equal) and shall be ultra-violet fade-proof.
 - 5) Eyelet: The eyelet shall be of a reinforced material and shall have a 3/16" diameter.
 - 6) Type Size: Any Information that is required by these rules and regulations to be printed on the tags shall be a minimum type size of 10 points and shall be of bold type and all in capital letters except the year which shall be a minimum of 45 points.
- f) See Appendix A, Figure 11 for requirements and specifications of the Certification tag.

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Section 250.343 Tamper Seals

Only color coded UL Tamper Seals meeting ANSI/UL 711 Standards of the same color so designated for that year for the approved certification tag shall be used to seal or reseal a Fire Suppression System.

- a) All Fire Suppression Systems shall have existing tamper seals removed during any maintenance and new UL tamper seal the same color of the current certification tag installed.
- b) All tamper seals shall bear the UL recognized component mark (as illustrated in Appendix A, Figure 7). The recognized component mark will be located on the exit side of the flag portion of the tamper seal.

Section 250.344 Non-Compliance Tags

Whenever an Engineered Fire Suppression System is serviced and is found to be in violation of these rules and regulations, it shall be tagged with a non-compliance tag meeting the requirements of Appendix A, Figure 8, rather than a certification tag. The deficiency shall be noted on the non-compliance tag.

Section 250.345 License Number

The initial distributor license number that a Fire Equipment Distributor receives from the State of Illinois for a Class "C" license shall remain the same, provided that it is renewed annually.

Section 250.356 Replacement and Defective Parts

- a) Replacement parts shall meet the original manufacturer's established requirements, specifications and quality standards for those parts.
- b) Distributors purchasing replacement parts from a supplier other than the original manufacturer must have a record a certificate from the supplier that the parts were purchased from the original manufacturer.

c) Exceptions:

- 1) Manufacturers that no longer exist.

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- 2) Models for which the original manufacturer no longer carries parts.

- 3) Where the manufacturer of replacement parts certifies that the replacement parts meet the original manufacturer's requirements.

- d) Defective parts requiring replacement shall be returned to the customer and so noted on the delivery ticket.

Section 250.358 Labeling

- a) A hydrostatic testing label meeting the requirements of Section 250.80 shall be affixed to the cylinder whenever a low pressure test is performed. It shall be placed on the front of the cylinder. The label should comply with Appendix A, Figure 3.

- b) A six year maintenance label meeting the requirements of Section 250.80 shall be affixed to the outside of the cylinder whenever such a six year maintenance is performed. It shall be placed on the front of the cylinder.

Section 250.360 Subcontracting

- a) Final Checkout, Service, and Maintenance

When a distributor subcontracts final checkout service or maintenance for an engineered fire suppression system, they shall use a Class "C" licensed distributor. The subcontracted licensed distributor who actually performs the work must secure the certification tag to the system indicating the type of work performed.

- b) When Hydro-Testing, Cylinder Drying, and Refilling is subcontracted to satisfy the minimum equipment and facility requirements of this Act and these rules, the subcontractor shall meet the requirements of this Act and these rules and state so on an affidavit, notarized and submitted with the distributor's application for license.

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Section 250.370 NICET Certification

Effective January 1, 1992, all design drawings of Engineered Fire Suppression Systems shall be stamped by a Licensed Professional Engineer or by a minimum NICET (National Institute for Certification in Engineering Technologies) Level II Special Hazards certified individual, (effective January 1, 1994 a NICET Level III Special Hazards certified individual) prior to submittal to the authority having jurisdiction.

Section 250.380 Non-Compliance Reports

When deficiencies are found on an Engineered Fire Suppression System, a non-compliance report shall be submitted to the owner and, if not corrected within 30 days, the State Fire Marshal's office. This report shall indicate deficiencies in the design and/or installation, and shall also indicate deficiencies that would effect the operation of the system. See Appendix A, Figure 9 for requirements and specifications for Non-Compliance reports. The following are some examples of deficiencies that shall be reported:

- a) Scope of hazard is changed and conflicts with original system design.
- b) Detection and control equipment not listed or approved for releasing suppression agents.
- c) No back-up power supplied for system.
- d) Carbon Dioxide cylinder out of hydrotest date.
- e) Discharge hoses require hydrostatic test.
- f) Detector exceeds spacing based on air changes.
- g) Improper installation of subfloor detectors.
- h) System not serviced.

Section 250.390 Certificate of Completion

As per approved sample in Appendix A, Figure 10, a Certificate of Completion shall be completed on all new and redesigned installations of Engineered Fire Suppression Systems.

A copy of the Certificate of Completion shall be sent to the Office of the State Fire Marshal, Springfield, IL.

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Section 250. TABLE A
REQUIRED FOR CLASS
MINIMUM EQUIPMENT AND FACILITIES REQUIREMENTS FOR FIRE EQUIPMENT DISTRIBUTOR LICENSE

MINIMUM EQUIPMENT AND FACILITIES REQUIRED

- | | | |
|-------|-----|---|
| A | 1. | HALON 1211 INVENTORY AND CLOSED RECOVERY/FILLING EQUIPMENT (MIN 25LBS) |
| A | 2. | CONTINUITY TESTER |
| A | 3. | AIR PRESSURE GAUGE (MINIMUM 120 PSI) |
| A | 4. | MEASURING CONTAINERS (NON METALIC) |
| A | 5. | LOW STRESS STAMP FOR ALUMINUM CYLINDERS MINIMUM 1/4" SIZE |
| A | 6. | CLOSED RECOVERY/CHARGING SYSTEM W/CLEAR SIGHT GLASS FOR HALON 1211 |
| B | 7. | CABLE CRIMPING TOOL (WHERE REQUIRED) |
| B | 8. | COCKING LEVER (WHERE REQUIRED) |
| C | 9. | MEGGER (AS PER MANUFACTURER) |
| C | 10. | DOOR FAN PRESSURIZATION UNIT |
| A B | 11. | HYDROSTATIC TEST EQUIPMENT FOR LOW PRESSURE CYLINDERS |
| A B | 12. | SCALES GRADUATED IN 1/8 OZ. OR GRAM WEIGHT FOR CO2 AND NITROGEN CARTRIDGES. |
| A B | 13. | LOW PRESSURE HYDROSTATIC TEST LABELS AS APPROVED IN THIS STANDARD |
| A B | 14. | NITROGEN W/REGULATOR. IF AIR USED IN PRESSURIZATION, IT MUST HAVE DEMPOINT BELOW THE MINIMUM REQUIREMENT IN THE 1988 NFPA 10 STANDARD |
| A B | 15. | SAFETY CAGE FOR HYDROSTATIC TEST OR LOW PRESSURE CYLINDERS |
| A B | 16. | APPROVED 6YRS. MAINTENANCE, INTERNAL MAINTENANCE, HYDROSTATIC LABELS |
| A B | 17. | ASSORTED SCOOPS |
| A B | 18. | ASSORTED FUNNELS |
| B C | 19. | PUMP FOR REFILLING HALON TYPE CYLINDERS (UNLESS SUBCONTRACTED) |
| B C | 20. | MINIMUM ONE TON SUPPLY OF HALON 1301 (UNLESS SUBCONTRACTED) |
| B C | 21. | ELECTRICAL METER |
| B C | 22. | DETECTOR SENSITIVITY EQUIPMENT, AS REQUIRED BY MANUFACTURER |
| B C | 23. | NITROGEN SUPPLY WITH REGULATOR (GAUGES TO BE CALIBRATED ANNUALLY) |
| B C | 24. | PIPE VISE, DIES, REAMER, ETC. |
| B C | 25. | PIPE REAMERS |
| A B C | 26. | 1000LB. PLATFORM SCALE, CERTIFIED ANNUALLY |

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REQUIRED
FOR
CLASS

MINIMUM EQUIPMENT AND FACILITIES REQUIRED

27. ELECTRONIC HALON LEAK DETECTOR
A B C
28. DOT APPROVAL NUMBER (UNLESS SUBCONTRACTED)
A B C
29. DOT APPROVED HYDROSTATIC TEST EQUIPMENT FOR
HIGH PRESSURE CYLINDERS (UNLESS
SUBCONTRACTED)
A B C
30. CO2 RECEIVER AND/OR CASCADE SYSTEM CO2,
(UNLESS SUBCONTRACTED)
A B C
31. METHOD FOR DRYING HIGH AND LOW PRESSURE
CYLINDERS (UNLESS SUBCONTRACTED)
A B C
32. WRENCHES WITH NON-SERRATED JAWS OR VALVE
PULLER, HYDRAULIC OR ELECTRIC
A B C
33. INTERNAL INSPECTION LIGHT
A B C
34. ACCURATE WEIGHING SCALES FOR CYLINDER
INSPECTION MAINTENANCE AND FILLING
A B C
35. FLOOR VISE FOR SHOP USE.
A B C
36. FACILITIES FOR STORAGE OF DRY CHEMICAL AS
PER MANUFACTURERS REQUIREMENTS
A B C
37. INVENTORY OF SPARE PARTS
A B C
38. CAPABILITIES FOR LEAK TESTING FOR
PRESSURIZED CYLINDERS
A B C
39. ADAPTERS, FITTINGS, TOOLS AND EQUIPMENT FOR
SERVICING AND/OR RECHARGING ALL CYLINDERS
A B C
40. CLOSED RECOVERY/FILLING SYSTEMS AS PER NFPA
10, TO ENSURE PROPER FILLING QUALITY AND
QUANTITY
A B C
41. MANUFACTURERS SERVICE AND INSTALLATION
MANUALS FOR ALL EQUIPMENT BEING MAINTAINED
A B C
42. LUBRICANTS (AS PER MANUFACTURER)
A B C
43. EXTENSION MIRRORS FOR INTERNAL INSPECTION
LIGHT
A B C
44. TORQUE WRENCH 0-600 POUNDS - INCH
A B C
45. TORQUE WRENCH 0-200 POUNDS - FOOT
A B C
46. MEASURING TAPE OR RULER
A B C
47. WIRE BRUSH (BRASS)
A B C
48. WIRE BRUSH (STEEL)
A B C
49. NYLON BRISTLE BRUSH
A B C
50. GAUGE WRENCH
A B C
51. LETTERS AND NUMERALS, MINIMUM 1/4" SIZE,
METAL STAMPS
A B C
52. DOT APPROVED IDENTIFICATION STAMP MINIMUM
1/8" SIZE LETTERS AND NUMERALS
A B C
53. AIRCHUCK
A B C
54. AIRGUN
A B C
55. DIAGONAL CUTTERS

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REQUIRED
FOR
CLASS

MINIMUM EQUIPMENT AND FACILITIES REQUIRED

56. 1/8"-2" TAPS AND DIES (PIPE AND MACHINE)
FILES
A B C
57. HACKSAW
A B C
58. BALL PEEN HAMMER
A B C
59. RUBBER Mallet
A B C
60. NUT DRIVER
A B C
61. REGULAR PLIERS
A B C
62. LONG NOSE PLIERS
A B C
63. "CHANNEL LOCKS"
A B C
64. "VICE GRIPS"
A B C
65. RETAINING RING PLIERS
A B C
66. TAMPER SEALS
A B C
67. PUNCHES
A B C
68. SCREW DRIVERS OF VARIOUS SIZE AND TIPS
A B C
69. ALLEN WRENCHES
A B C
70. PIPE WRENCHES
A B C
71. ADJUSTABLE WRENCHES
A B C
72. OPEN END WRENCHES
A B C
73. BOX WRENCHES
A B C
74. SOCKET WRENCHES
A B C
75. WORK BENCHES
A B C
76. CHAIN HOIST AND TROLLEY (UNLESS HYDROTESTING
IS SUB-CONTRACTED)
A B C
77. VALVE HANDLE GRIP
A B C
78. PARTS CABINET
A B C
79. FILE CABINET(S) AND FILE CARDS OR OTHER
METHODS OF RECORDKEEPING
A B C
80. HEAVY DUTY (3/8" CHUCK) DRILL
A B C
81. BENCH GRINDER WITH GUARDS
A B C
82. TEFLON TAPE AND/OR GAUGE THREAD SEALANT
A B C
83. NFPA 10 (1988), NFPA 409 (1985), NFPA 410
(1980), NFPA 407 (1989), NFPA 415 (1983),
NFPA 418 (1979), CGA C-1, CGA C-6, CGA C-6.2,
CGA C-5, CGA C-6.1, CGA C-10, CFR-TITLE 49,
NFPA 96 (1987), NFPA 17 (1985), NFPA 17A
(1986), NFPA 12 (1988), NFPA 12A (1989),
NFPA 12B (1989), NFPA 72E (1987)
B
84. NFPA 11 (1988), NFPA 11A (1988), NFPA 11B
(1988), NFPA 12 (1988), NFPA 12A (1989),
NFPA 12B (1989), NFPA 17 (1985), NFPA 17A
(1986), NFPA 96 (1987), NFPA 72E (1987)
C
85. B6.

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Section 250.APPENDIX A Examples and Specifications for Tags, Labels, and Forms.

- a) Introduction: The purpose of this Supplement is to provide distributors and their employees with specifications and illustrations of the tags, labels and forms referred to in Part 250.

FIGURE 1 - INTERNAL MAINTENANCE LABELS

- a) The internal maintenance label shall be a minimum size 3/4" X 4" on tyvek paper material or equivalent, with a pressure sensitive adhesive backing conforming to UL 969 (1982).

- b) The internal maintenance label shall include the following information:

- 1) Distributor Name and License Number.
- 2) Employee Name and License Number.
- 3) Month and Year that maintenance was performed.
- c) Label shall be white in color with black printing.
- d) The internal maintenance label shall be affixed in the following manner:

- 1) Any label previously affixed shall be removed prior to affixing a new label.
- 2) The area to which the label is to be adhered shall be cleaned to remove all residue of any kind, including old adhesive from a previously attached label.
- 3) The label shall be placed on the syphon tube within 5" of the bottom of the valve assembly.
- 4) The adhesive side of the center point of the label shall be tightly adhered against the tube.
- 5) The label shall be pressed and adhered solidly around the syphon tube and the remaining length of the label shall be tightly pressed together to insure a complete bond of the adhesive sides of the label.

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- e) The label shall be as the following example:

3/4"		4"	
1990	DISTRIBUTOR NAME	1992	
1991	DISTRIBUTOR LICENSE #	1993	
	EMPLOYEE LICENSE #		
JAN/FEB/MAR/APR/MAY/JUNE/JULY/AUG/SEPT/OCT/NOV/DEC			

Figure 1.

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FIGURE 2 - CONDUCTIVITY TEST LABELS

- a) The standard "Conductivity test" label shall be a minimum size of 1" X 4" on tyvek paper material or equivalent with a pressure sensitive adhesive backing conforming to UL969.
- b) The "Conductivity test" label shall include the following information:
- 1) Distributor name and license number.
 - 2) Employee name and license number.
 - 3) Month and year conductivity test was performed (shall be punched).
- c) The label shall be white in color with red printing.
- d) The conductivity label shall be affixed in the following manner:
- 1) Any label previously attached shall be removed prior to affixing the new label.
 - 2) The area to which the label is to be adhered shall be cleaned to remove all residue of any kind, including old adhesive from a previously attached label.
 - 3) The label shall be placed on the coupling of the Co2 hose that is attached to the operating valve. However, care should be used as to not place it on the hex, where a wrench might be used.
 - 4) The adhesive side of the center point of the label shall be tightly adhered against the smooth part of the coupling.
 - 5) The label shall be pressed and adhered solidly around the coupling and the remaining length of the label shall be tightly pressed together to make a flag affect to insure a complete bond of the adhesive sides of the label.
- e) The label shall be as the following example:

CONDUCTIVITY TESTED	
1991	1993
DISTRIBUTOR	
DIST. LIC. #	
1992	1994
EMPLOYEE NAME	
EMPLOYEE LIC. #	
JAN/FEB/MARCH/APRIL/MAY/JUNE/JULY/AUG/SEPT/OCT/NOV/DEC	

Figure 2.

OFFICE OF THE STATE FIRE MARSHAL

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FIGURE 3 - HYDROSTATIC TEST LABELS

- a) The hydrostatic test label shall comply to the following specifications:
- 1) Label must be 2" x 3 1/2".
 - 2) All print must be in black on silver metallic background.
 - 3) All letters and numbers, with the exception of the distributor's address, phone number and any other advertising, must be a minimum of 1/8" high and in bold print capital letters.
 - 4) Hydrostatic test pressure numbers shall be a minimum of 1/16" high.
 - 5) The month, year, and hydrostatic test pressure designated shall be spaced so a 1/4" round hole punch centered and punched through a month, year or hydrostatic test pressure designation will not overlap onto another.
 - 6) Employee must legibly print their last name.
 - 7) Post office box numbers are not acceptable as a distributor address.
- b) The label shall be as the following example:

JAN	FEB	MAR	APR	MAY	JUNE
HYDROSTATIC TEST LABEL					
PERFORMED BY:					
DISTRIBUTOR NAME					
DISTRIBUTOR ADDRESS					
DISTRIBUTOR LICENSE #					
TEST					
1 2 3 4 5 6 7 8 9 0					
PRESSURE					
1 2 3 4 5 6 7 8 9 0					
(PSI)					
JULY					
AUG					
SEPT					
OCT					
NOV					
DEC					

1991	1992	1993	1994
EMPLOYEE NAME			
ILL. EMPLOYEE LIC. #			

Figure 3.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED RULES

FIGURE 4 - SIX YEAR MAINTENANCE LABEL

- a) Approved six year maintenance tag shall meet the following specifications:
- 1) Label must be 2" X 3 1/4" in size.
 - 2) "Six Year Maintenance" must be printed in red. All other printing is to be in black print. Background will be light blue.
 - 3) All letters and numbers, with the exception of the distributor's address, phone number, and any other advertising, must be a minimum of 1/8" high and in bold capital letters.
- b) Employee must legibly print their last name on tag.
- c) A post office box is not acceptable as a distributor's address.
- d) Distributor phone number must include the area code.
- e) The month and year designations shall be spaced so that a 1/4" round hole punch, which is centered and punched through a month or year designation, will not overlap onto another.
- f) The label shall be as the following example:

JAN	FEB	MAR	APR	MAY	JUNE
SIX YEAR MAINTENANCE					
PERFORMED BY:					
DISTRIBUTOR NAME _____					
DISTRIBUTOR ADDRESS _____					
DISTRIBUTOR PHONE # _____					
ILLINOIS DISTRIBUTOR LICENSE # _____					
JULY	AUG	SEPT	OCT	NOV	DEC
EMPLOYEE NAME _____					
ILL. EMPLOYEE LIC. # _____					
1991 1992 1993 1994					

Figure 4.

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FIGURE 5 - HOSE TEST LABEL

- a) The standard hose label shall be a minimum size 1" X 4" on tyvek paper material or equivalent, with a pressure sensitive adhesive backing conforming to UL969.
- b) The hose test label shall include the following information:
- 1) Distributor name and license number.
 - 2) Employee name and license number.
 - 3) Month and year conductivity test was performed (shall be punched).
- c) The label shall be white in color with red printing.
- d) The hose test label shall be affixed in the following manner:
- 1) Any label previously attached shall be removed prior to affixing the new label.
 - 2) The area to which the label is to be adhered shall be cleaned to remove all residue of any kind including old adhesive from a previously attached label.
 - 3) The label shall be placed on the coupling of the hose assembly that attaches to the fire extinguisher. However, care should be used as to not place the label on hex nut where a wrench might be used.
 - 4) The adhesive side of the center point of the label shall be tightly adhered against the smooth part of the coupling.
 - 5) The label shall be pressed and adhered solidly around the coupling and the remaining length of the label shall be tightly pressed together to make a flag affect, to insure a complete bond of the adhesive sides of the label.
- e) The label shall be as the following example:

1991	HOSE TESTED		1993
DISTRIBUTOR		1994	
1992	DIST. LIC. # _____		
<input type="checkbox"/> CO ² HOSE		EMPLOYEE NAME _____	
<input type="checkbox"/> 1250 psi		EMPLOYEE LIC. # _____	
		DRY CHEM <input type="checkbox"/>	
		300 psi <input type="checkbox"/>	
JAN/FEB/MARCH/APRIL/MAY/JUNE/JULY/AUG/SEPT/OCT/NOV/DEC			

Figure 5.

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FIGURE 6 - CERTIFICATION TAG FOR FIRE EXTINGUISHERS

- a) Approved certification tags shall meet the following specifications:
1. Size: 2 5/8" x 5 1/4" (No. 6 size)
 2. 10 to 13 Point type size.
 3. Minimum of 12 Point tag stock or a more durable material.
- b) Certification service tags shall bear the following information on the front of the tag: (As illustrated in Appendix)
- 1) Do Not Remove by Order of the State Fire Marshal (in the color of red).
 - 2) Signature of person who performed the maintenance of the extinguisher.
 - 3) State License Number of person who performed the maintenance of the extinguisher.
 - 4) Name of Distributor, State License Number, Street Address, City, State and Phone number.
 - 5) Type of Maintenance performed (Shall be punched).
 - 6) Type of Extinguisher/item serviced (Shall be punched).
 - 7) Month serviced (Shall be punched).
 - 8) Department of Transportation approval number (if applicable).
- c) The reverse side:
- 1) "Serial number" of cylinder (optional).
 - 2) Room for initials of employee performing monthly inspection.
 - 3) "Municipal License Number" (if applicable).
 - 4) "Gross Weight" (optional).
- d) Certification tag will use the following colors;
- 1) 1991 - Light Blue

FRONT Figure 6.

BACK

OFFICE OF THE STATE FIRE MARSHAL

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- 2) 1992 - White
 - 3) 1993 - Yellow
 - 4) 1994 - Orange
 - 5) 1995 - Light Green
 - 6) Following years will follow in consecutive color order.
- e) The certification tag shall have only one year printed on it.
- f) The label shall be as the following example:

Diagram of a rectangular certification tag with dimensions 2 5/8" x 5 1/4".

FRONT SIDE:

- Top left: "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" with a circular seal.
- Top center: "D.O.T. APPROVAL NO." with a circular seal.
- Bottom center: "1991" in large bold font.
- Bottom right: "CERTIFICATION TAG" and a monthly maintenance punch chart.

BACK SIDE:

- Top left: "SERIAL #", "GROSS WEIGHT", "OWNERS I.D. NO. (IF USED)", and "REMARKS".
- Top center: "MUNICIPAL LICENSE #".
- Top right: "MONTHLY INSPECTION RECORD" table with columns for DATE, BY, and DATE.
- Bottom right: "PRINTED IN U.S.A."

Labels: "RED TEXT" at the top and bottom edges, "VERSE PRINT" on the left edge.

- a) Only color coded UL tamper seals meeting ANSI/UL-711 Standards for the same color so designated for that year for the approved certification tag shall be used to seal or reseal a fire suppression system or portable fire extinguisher.
- b) All fire extinguishers and fire suppression systems shall have existing tamper seals removed during the maintenance and a new UL tamper seal of the same color of the current tag installed.
- c) All approved tamper seals shall bear the UL "Recognized Component Mark" and this "Mark" will be located on the "Exit" side of the flag portion of the tamper seal.

UL RECOGNIZED COMPONENT MARK

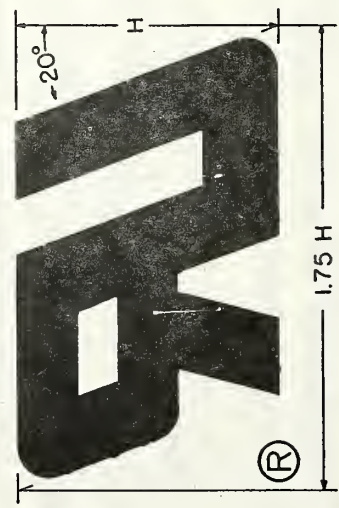


Figure 7.

- a) The non-compliance tag shall be a two part tag.
- b) The tag shall be red with black lettering.
- c) Non-compliance block to be reverse print (red letters on black background).
- d) Tag shall be attached in the same manner as the certification tag.
- e) The label shall be as the following example:

Figure 8.

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FIGURE 9 - NON-COMPLIANCE REPORT

FIRE SUPPRESSION SYSTEM NON-COMPLIANCE REPORT

(Please Print of Type)

NOTE: THIS FORM MUST BE COMPLETED BY THE LICENSED EMPLOYEE THAT ACTUALLY DISCOVERED DEFICIENCY!

CLASS OF DEFICIENCY: _____ Pre-Engineered _____ Engineered
DATE OF REPORT: ____/____/____ DATE OF DISCOVERY: ____/____/____

Business Name of Owner of Deficient Equipment

() _____
Address _____ City _____ Zip Code _____
Telephone _____ Individual (Owner, Mgr. Etc.) _____ Title _____Mfg. of Fire Suppression System _____ Model _____ / ____/____
Mfg. Date _____

Extinguishing Agent _____ Hazard Protected (Be specific, especially if more than one system on premises) _____

BRIEF DESCRIPTION OF DEFICIENCY: _____

Name of Fire Equipment Dist. Filing Report _____ Dist. Lic. # _____

Address _____ City _____ State _____ Zip Code _____

() _____ () _____
Telephone # _____ FAX Number _____ Department Manager/Supervisor _____

Licensed Employee Filing Report _____ State Lic. # _____ SIGNATURE _____

NOTE: THIS REPORT MUST BE FILED WITH THE STATE FIRE MARSHAL IF DEFICIENCY IS NOT CORRECTED BY ____/____/____

INVESTIGATED BY: _____ DO WRITE BELOW - FOR USE BY THE OSFM
ACTION TAKEN: _____ DATE: ____/____/____

OFFICE OF THE STATE FIRE MARSHAL

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FIGURE 10 - CERTIFICATE OF COMPLETION

CERTIFICATE OF COMPLETION

Type of System: _____
(Check One) () Pre-Engineered Fire Suppression System
() Engineered Fire Suppression System

FILL IN THE INFORMATION ON THIS FORM WHERE APPLICABLE. PLEASE PRINT!

Distributor Name: _____

Address: _____

City/State/Zip: _____

Phone Number: _____ Distributor License Number _____

Please print the name(s) and license number(s) of the employee(s) performing this installation: _____

CUSTOMER:

Name: _____

Address: _____

City/State/Zip: _____

Manufacturer and model number of system installed: _____

JOB SITE:

Name: _____

Address: _____

City/State/Zip: _____

Date Installation was completed: _____

Description of hazard protected: _____

We hereby certify that this system has been installed in accordance with Illinois State Law and the Rules and Regulations specified by the Office of the Illinois State Fire Marshal.

Signature: _____

Employee License Number: _____

Date: _____

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FIGURE 11 - CERTIFICATION TAG FOR PRE-ENGINEERED AND ENGINEERED FIRE SUPPRESSION SYSTEMS

- a) Certification tags shall bear the following information on the front of the tag:
 - 1) "Do Not Remove by Order of the State Fire Marshal" (in red).
 - 2) Signature of person who performed the maintenance.
 - 3) State License Number of person who performed the maintenance.
 - 4) Name of Distributor, State License Number, Street Address, City, State, and phone number.
 - 5) Type of Maintenance performed. (Shall be punched)
 - 6) Type of System. (Shall be punched)
 - 7) Month Serviced. (Shall be punched)
 - 8) Type of Class (Engineered or Pre-Engineered). (Shall be punched)
 - 9) Department of Transportation approval number, if applicable.
- b) The reverse side:
 - 1) "Serial number" of cylinder (optional).
 - 2) Room for initials of employee performing monthly inspection.
 - 3) "Municipal License Number" (if applicable).
 - 4) "Gross Weight" (optional).
- c) Certification tags will use the following colors:
 - 1) 1991 - Light Blue
 - 2) 1992 - White
 - 3) 1993 - Yellow

- 4) 1994 - Orange
- 5) 1995 - Light Green
- 6) Following years will follow in consecutive color order.
 - d) The certification tag shall have only one year printed on it.
 - e) The certification tag shall meet the following specifications:
 - 1) Size: The tag shall be a standard #6 size (2 5/8" x 5 1/4")
 - 2) Stock: The tag shall be of a 13 point clay coated sulphite (CSU) stock that is 100% chemical wood pulp and has a thickness of 0.013 to a maximum thickness of 0.015; as per the "Tag and Label Manufacturer's Institute" (TLMI) guidelines.
 - 3) Colors: The tag colors shall be standard "Light Blue", "White", "Yellow", "Orange" and "Light Green" as recognized by the Tag and Label Industry.
 - 4) Inks: The inks used shall be Tyvek red and Tyvek Black (or equal) and shall be ultra-violet fade-proof.
 - 5) Eyelet: The eyelet shall be of a reinforced material and shall have a 3/16" diameter.
 - 6) Type Size: Any Information that is required by these rules and regulations to be printed on the tags shall be a minimum type size of 10 points and shall be of bold type and all in capital letters except the year which shall be a minimum of 45 points.

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f) The label shall be as the following :

DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL

D.O.T. APPROVAL NO.

2 5/8"

RED TEXT

REVERSE PRINT

CLASS B LICENSE #

CLASS C LICENSE #

SERVICED BY:

LICENSE #

● ENGINEERED

● HIGH PRESS. CO2

● DRY CHEMICAL

● HALON 1301

● HALON 1211

● WET CHEMICAL

● PRE-ENGINEERED

● LOW PRESS. CO2

● EMERG. LIGHT

● FOAM

● FIRE ALARM

1991

CERTIFICATION TAG

VOID 6 MOS. FROM MONTH PUNCHED

MAINTENANCE

NEW

RECHARGED

DEC

JAN

FEB

MAR

APR

MAY

JUN

JUL

AUG

SEP

OCT

NOV

RED TEXT

SERIAL #

GROSS WEIGHT

OWNERS I.D. NO. (IF USED)

REMARKS

MUNICIPAL LICENSE #

MONTHLY INSPECTION RECORD

DATE	BY	DATE	BY

PRINTED IN U.S.A.

FRONT

BACK

ILLINOIS LOCAL GOVERNMENTAL LAW
ENFORCEMENT OFFICERS TRAINING BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of Part: Minimum Requirements of the Trainee
- 2) Code Citation: 20 Ill. Adm. Code 1720
- 3) Section Numbers: 1720.20, 1720.25
Proposed Action: Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 85, par. 507
- 5) A Complete Description of the Subjects and Issues Involved: The purpose of these rules is to provide adequate standards and guidelines to probationary correctional officers who will be required to pass the mandated certification examination to become a full-time certified correctional officer in the State of Illinois under the Illinois Police Training Act. These rules will provide probationary correctional officers with directions as to how to successfully complete said comprehensive examination and how to receive certification for said training.
- 6) Will the proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
- 8) Does this amendment contain incorporations by reference? Yes ☐ No ☒
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of statewide policy objectives: The policy objective surrounding this particular rule is to provide the same training requirements for correctional officers as those for full-time law enforcement officers. The Board believes, as a matter of consistency, that the basic training requirements for the correctional officer should adequately be tested by a comprehensive examination in order to receive certification of successful completion of Board requirements.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Contact person: Terrence Tranquilli
Deputy Director
Illinois Local Governmental Law Enforcement
Officers Training Board
Suite 400, Lincoln Tower Plaza
Springfield, IL 62706

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12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted: This rulemaking will not affect small business.
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: The Police Training Board will monitor the training certification and administration of the examination internally.
- D) Types of professional skills necessary for compliance: Successful completion of the training course.

The full text of the Proposed Rule begins on the next page:

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER V: ILLINOIS LOCAL GOVERNMENTAL LAW ENFORCEMENT
OFFICERS TRAINING BOARD

PART 1720

ILLINOIS POLICE TRAINING ACT

Section

1720.10	Course Requirements
1720.20	Minimum Requirements of the Trainee
1720.25	Procedures for Administration of Law Enforcement and Correctional Officers Certification Examination
	School Standards and Requirements
1720.30	Qualification of Police Instructors
1720.40	Reimbursements
1720.50	Requirements of Participating Local Agencies
1720.60	Minimum Training Requirements for Illinois Sheriffs
1720.70	Physical Fitness Standards
APPENDIX A	

AUTHORITY: Implementing and authorized by the Illinois Police Training Act (Ill.Rev.Stat. 1987, ch. 85, pars. 501 et seq.)

SOURCE: Filed and effective July 26, 1966; codified at 7 Ill.Reg. 11232; amended at 8 Ill.Reg. 12259, effective July 1, 1984; amended at 11 Ill.Reg. 16692, effective October 6, 1987; amended at 12 Ill.Reg. 3728, effective February 2, 1988; amended at ____ Ill.Reg. ____ effective ____.

Section 1720.20 Minimum requirements of the Trainee

- a) Regular attendance at all sessions is required. However, excused absences may be granted by the designated Director under certain limited circumstances, beyond the trainee's control, which may include, but not be limited to a death in the family, illness, response to a court subpoena, disability, or a transportation breakdown. In order to successfully complete the course, absences must not exceed ten percent of the total hours of instruction for any Board certified course of instruction.
- b) Maintenance of an adequate classroom notebook. Factors to be considered in rating the notebook are neatness, legibility, accuracy and sufficiency of content. "Adequate," for purposes of this subsection, refers to:

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- 1) Neatness. Requires concise organization of the notes. All notes and handouts will be placed in the book as received during the course. Dividers into topics are required; and
- 2) Legibility. Put down notes in brief, clear, and complete sentences. Underline the important items. Lined notebooks, or typing paper for typing should be used; and
- 3) Accuracy. The notes taken in class must precisely reflect the content of the class; and
- 4) Sufficiency of content. Putting notes down in the trainee's notebook should be in the trainee's own words. The trainee should strive to achieve condensation of the material clearly and concisely.
- c) Qualification in the use of firearms, as required by Firearms Training for Peace Officers Act, Ill.Rev.Stat. 1981, ch. 85, par. 515, et seq.
- d) An overall average of 70 percent must be achieved on all written examinations given during any course of training. Separate evaluation of any skill-oriented performance requirements shall be made by the designated Director on a satisfactory/unsatisfactory basis.
- e) The designated Director shall establish standards of conduct of the recruit while enrolled at the academy. These shall include demeanor, deportment and compliance with the discipline and regulations of the school or course. Receipt of certification of the successful completion of the course from the academy shall be deemed proof that the trainee has complied with the requirements of this subsection.
- f) Each trainee who has not been awarded a certificate attesting to his successful completion of the Minimum Standards Basic Law Enforcement Training Course as prescribed by the Board within six (6) months of his initial full-time employment, must forfeit his position, or the employing agency must obtain a waiver from the Board extending the period for compliance. Such waivers shall be issued only for good and justifiable reasons, and in no case shall extend more than ninety (90) days beyond the initial six (6) months. Good and justifiable reasons for a waiver include, but are not limited to, unavailability of academy space for training, illness or disability, and the need for the trainee to serve his department during the initial six-month period.

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- g) Each trainee will bring such equipment as required by the Course Director.
- h) A trainee shall pass the State comprehensive examination to qualify as a permanent law enforcement or permanent correctional officer, except as is otherwise provided for in the Act.
- 1) The test shall be in writing. It shall be administered by the staff of the Board, or such other testing company or association expressly authorized by the Board; and
- 2) The Board shall establish a minimum passing score. In establishing the minimum passing score, the Board will ensure that the score reflects the knowledge and competency of the trainee for law enforcement or correctional work. The minimum passing score will be established by the Board within the range of 60 to 80 percent of the total score. At the beginning of each ~~academy~~ training course the minimum passing score will be announced; and
- 3) The content of the test for law enforcement officers may include, but not be limited to, material in the areas specified in Section 7(b) of the Act, and subjects covered in the Firearms Training for Peace Officers Act, Ill.Rev.Stat. 1981, ch. 85, par. 515, et seq.; and
- 4) The content of the test for correctional officers may include, but not be limited to, material in the areas specified in 20 Ill.Adm.Code 1750.202, and subjects covered in the Firearms Training for Peace Officers Act, Ill.Rev.Stat. 1981, ch. 85, par. 515, et seq.; and
- 5) The Board shall at least biennially review the content of the exam and minimum passing score to ensure that they are current and reliable.

(Source: Amended at ____ Ill. Reg. ____, effective July 1, 1984)

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Section 1720.25 Procedures for Administration of Law Enforcement and
Correctional Officers Certification Examination

- a) The Comprehensive Examination will be administered to all trainee law enforcement and correctional officers who successfully complete the Trainee Basic Law Enforcement or Correctional Officers Training Course at a State-certified academy.
- b) Trainees who successfully pass the Comprehensive Examination shall be eligible to receive certification attesting to their successful completion of the Minimum Standard Basic Law Enforcement or Correctional Training Requirements.
- c) Examination scores will be reported in writing to the Chief Administrator of the Trainee's employing agency within 14 days of the examination date.
- d) Law Enforcement or Correctional Trainees are required to successfully complete the Comprehensive Examination on one occasion only. There are no requirements for re-qualification.
- e) Only trainees who have been certified by the Academy Director as having met all the requirements of having successfully completed the Trainee Basic Training Law Enforcement or Correctional Officers Course with an average minimum score of 70% are eligible to take the Comprehensive Examination.
- f) Each trainee must be a full-time law enforcement or correctional officer and be employed by a local law enforcement agency.
- g) In the event the trainee fails to successfully complete the Comprehensive Examination on the initial administration, he or she will be allowed to re-take the Comprehensive Examination of maximum of two times.
- h) In order to be eligible to re-take the Comprehensive Examination, a written request must be submitted by the Chief Administrator of the Officer's employing agency. Upon receipt of the written request, the Board shall administer the re-take examination, except as may otherwise be provided in subsection (o).
- i) Law enforcement or correctional officers who initially fail to successfully complete the Comprehensive Examination will be administered an alternate version of the Comprehensive Examination on any successive re-take(s).

- j) The Board will establish and publish the locations with the dates and times for the administration of re-take examinations. Such exams will be given at least twice every six months.

- k) In the event that a law enforcement or correctional officer fails to successfully complete the Comprehensive Examination and is discharged as an employee by a law enforcement agency, he or she is nevertheless eligible to re-take the Comprehensive Examination if employed by another local law enforcement agency. He or she will be viewed as a new trainee by the Board and would be granted all rights that are provided to new trainees as specified herein.

- l) The Comprehensive Examination will be administered on site at the academies on the last Thursday on the last week of the basic course.

- m) The trainee will have 3.5 hours to complete the Comprehensive Examination. A trainee will be excused from completing the examination if he/she is ill and excused by the proctor.

- n) Individuals allowed within the testing area will be limited to Board-approved examination proctors, and those who are taking the examination.

- o) Any trainee who is uncooperative, disruptive or is thought to be cheating during the administration of the Comprehensive Examination will be ordered by the proctor to turn in his or her written report of the incident will then be submitted to the Executive Director of the Board and to the Chief Administrator of the officer's employing agency. The offending trainee shall have the opportunity within seven days to submit a written report to the Executive Director describing the trainee's version of the event. In such cases it will be left to the discretion of the Executive Director to determine whether the officer has forfeited the examination and whether the trainee is eligible to re-take the Comprehensive Examination. The Executive Director's determination will be based on the nature of the officer's misbehavior and on the supporting evidence of such misbehavior.

(Source: Amended at _____ Ill. Reg. _____, effective _____.)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: GENERAL ASSISTANCE

2) Code Citation: 89 Ill. Adm. Code 114

3) Section Numbers: Proposed Action:

114.140	Repealed
114.402	Amendment
114.450	New Section
114.452	New Section
114.454	New Section
114.456	New Section
114.458	New Section
114.460	New Section
114.462	New Section
114.464	New Section
114.466	New Section
114.500	New Section
114.502	New Section
114.504	New Section
114.506	New Section
114.508	New Section
114.510	New Section
114.512	New Section
114.514	New Section
114.516	New Section
114.518	New Section

4) Statutory Authority: Sections 9-6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 9-6 and 12-13)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking guarantees child care for persons receiving General Assistance benefits who are in approved educational and training activities and for those who are working. Additionally, this rulemaking guarantees child care for twelve months for certain individuals who have lost General Assistance eligibility due to increased earnings, increased hours of work or due to the loss of the earned income disregard.

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
 Yes ☒ No ☐

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8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
114.9	Amendment	February 23, 1990 (14 Ill. Reg. 2821)
114.210	Amendment	March 16, 1990 (14 Ill. Reg. 4070)
114.251	Amendment	March 16, 1990 (14 Ill. Reg. 4070)
114.270	Amendment	December 8, 1989 (13 Ill. Reg. 19146)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, 100 South Grand Avenue East, Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

- A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 27, 1990
- B) Types of small businesses affected: Child care providers.
- C) Reporting, bookkeeping or other procedures required for compliance: No additional reporting, bookkeeping or other procedures required.

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- D) Types of professional skills necessary for compliance: No additional professional skills required.

The full text of the Proposed Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 114
GENERAL ASSISTANCE

SUBPART A: GENERAL PROVISIONS

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114.1	Description of the Assistance Program
114.5	Incorporation By Reference

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114.10	Citizenship
114.20	Residence
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114.80	Work and Training Programs
114.90	Project Chance Participation/Cooperation Requirements (Renumbered)
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114.108	Project Advance
114.109	Project Advance Participation Requirements of Adjudicated Fathers
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114.121	Persons Required to Participate in Employment and Training
114.122	Advocacy Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act
114.123	Persons in Need of Work Rehabilitative Services (WRS) to Become Employable
114.124	Employment and Training Participation/Cooperation Requirements
114.125	Employment and Training Program Orientation
114.126	Employment and Training Program Full Assessment Process/Development of an Employment Plan
114.127	Employment and Training Program Components
114.128	Employment and Training Sanctions
114.129	Good Cause For Failure to Cooperate With Work and Training Participation Requirements
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SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

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114.200	Unearned Income
114.201	Budgeting Unearned Income
114.202	Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
114.203	Initial Receipt of Unearned Income
114.204	Termination of Unearned Income
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114.222	Earmarked Income
114.223	Lump Sum Payments
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114.225	Earned Income
114.226	Budgeting Earned Income
114.227	Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
114.228	Initial Employment
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114.240	Income From Work/Study/Training Program (Repealed)
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114.450	Child Care
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114.518 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 6-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg.

37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9909, effective August 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233,

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effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, Reg. effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 10 Ill. Reg. 15800, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg. 10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 18311, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 18689, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18791, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20129, effective December 4, 1987; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 889, effective January 1, 1988; SUBPARTS C, D and E reclassified to SUBPARTS E, F and G at 12 Ill. Reg. 2147; Section 114.110 reclassified to Section 114.52 at 12 Ill. Reg. 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16729, effective September 30, 1988; amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1546,

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effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, effective May 20, 1989; emergency amendment at 13 Ill. Reg. 16169, effective October 2, 1989 for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 16015, effective October 6, 1989; amended at 14 Ill. Reg. 746, effective January 1, 1990; amended at 14 Ill. Reg. _____, effective February 23, 1990; amended at 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART D: PROJECT CHANCE

Section 114.140 Employment Child Care (Repealed)

This Section shall only apply to General Assistance cases consisting of children and adults residing in the City of Chicago.

a) The Department will pay for child care for a maximum of six (6) months for General Assistance recipients who obtain employment and are no longer eligible for General Assistance benefits if the individual requests payment for child care within six (6) months of the month of cancellation of assistance.

b) Payments for child care will be made in amounts not to exceed the maximum rates per child as established by DEPS--(See 89-III-Adm-Code-356-5g)--The individual shall be subject to the child care eligibility criteria established by DEPS--(see 89-III-Adm-Code-303)--and shall be subject to the fee schedule established by DEPS--(see 89-III-Adm-Code-352)--.

(Source: Repealed at 14 Ill Reg. _____, effective _____)

SUBPART G: OTHER PROVISIONS

Section 114.402 Special Needs Authorizations

If the General Assistance unit is determined eligible for an assistance payment, additional payment(s) will be authorized upon request of the client and verification of provision of the service in the following circumstances:

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Section 114.402 Special Needs Authorizations (Cont'd)

- a) A change in mailing date of the regular warrant creates a period of unmet need.
- b) Correction of an underpayment.
- c) A student who is a junior or senior in high school is included in the assistance unit as an eligible child (applies only to family cases). The allowance is \$15.00 per quarter payable three times a year.
- d) A therapeutic diet allowance is required for an eligible recipient and the diet is prescribed by a physician. The amounts are:
 - 1) Children \$17.82 per month
 - 2) Adults, less than 1700 calories \$ 7.92 per month
 - 3) Adults, 1700 calories or more \$17.82 per month
- e) Household furniture and equipment
 - 1) Payment for the purchase of household furniture and equipment will be authorized when:
 - A) the item is essential, and
 - B) the existing item cannot be repaired or is not worth the cost of repair.
 - 2) Payment for the repair of household furniture and equipment will be authorized when the existing item is repairable and the cost of such repairs is less than the replacement cost.
 - 3) The household furnishings and equipment considered essential items are:
 - A) Stoves
 - B) Refrigerator
 - C) Kitchen Tables

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Section 114.402 Special Needs Authorizations (Cont'd)

D) Kitchen Chairs

E) Beds

- f) Day-Care-to-enable-the-caretaker-to-participate-in employment-education-or-training--For-Representative Payee-(RPY)-cases-only-when-the-childs-caretaker-is not-a-responsible-relative-(see-subsections-(h)-and-(i)).
- g) Day-care-for-children-of-elementary-and-secondary school-parents-to-enable-the-school-parent(s)-to-attend-school-(includes-RPY-cases)-(see-subsections-(i)-and-(j)).
- h) Qualified-Providers
The-Department-will-approve-payment-for-day-care provided-in-any-of-the-following:
 - i) A-LICENSED-DAY-CARE-CENTER
A-DAY-CARE-CENTER-MUST-BE-LICENSED-BY-THE DEPARTMENT-OF-CHILDREN-AND-FAMILY-SERVICES (DCFS)--A-DAY-CARE-CENTER-IS-ANY-CHILD-CARE FACILITY-WHICH:
 - A) REGULARLY-PROVIDES-DAY-CARE-FOR-LESS-THAN-24 HOURS-PER-DAY,-AND
 - B) FOR-MORE-THAN-8-CHILDREN-IN-A-FAMILY-HOME-OR
 - C) FOR-MORE-THAN-3-CHILDREN-IN-A-FACILITY-OTHER THAN-A-FAMILY-HOME---(Section-2.00-of-the Child-Care-Act-of-1969-111-Rev.-Stat. 1987-ch-237-par-2312-09)
 - 2) A-LICENSED-DAY-CARE-HOME
 - A) A-DAY-CARE-HOME-IS-ANY-FAMILY-HOME-WHICH PROVIDES-DAY-CARE-FOR-LESS-THAN-24-HOURS-PER DAY,-AND-FOR-MORE-THAN-3-CHILDREN-UP-TO-A-MAXIMUM-OF-8-CHILDREN--THE-MAXIMUM-OF-8 CHILDREN-INCLUDES-THE-FAMILY'S-NATURAL-OR ADOPTED-CHILDREN-AND-ALL-PERSONS-UNDER-THE

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Section 114.402 Special Needs Authorizations (Cont'd)

AGB-OP-147

B) A-licenSB-DAY-CARE-HOME-DOES-NOT-INCLVDS-A HOME-WHICH-PROVIDES-DAY-CARE-ONLY-TO CHILDREN-FROM-THE-SAME-HOUSEHOLD.---A-DAY-CARE-HOME-MUST-BE-LICENSED-BY-DEPS- (Section 2.18-of-the-Child-Care-Act-of-1969- 111-Rev-Stat-1987-eh-23-par-2212.18)

3) A-Home-Not-Subject-to-Licensing

A) A-Home-not-subject-to-licensing-to-a-home which-provide-day-care-for-less-than-24 hours-per-day-and-does-not-meet-the criteria-described-above-for-a-day-care center-or-day-care-home.

B) The-Department-will-not-make-payment-for-day care-provided-by-a-person-(relative-or non-relative)-living-in-the-same-home-as-the child-(rent)-needing-care.

1) Payment-Information

1) Maximum-rates-for-day-care-have-been-established by-the-DEPS-(see-89-111-Adm-Code-356.5(g)). The-Department-of-Public-Aid-will-allow-payment in-an-amount-not-to-exceed-the-maximum-rates-per child-as-established-by-the-DEPS.

2) The-Department-will-make-payment-only-for-the day-care-is-required.---However-if-necessary-a day-care-arrangement-may-be-maintained-when-care is-not-actually-provided-but-is-needed-to maintain-the-day-care-slot.---Reasons-for maintaining-an-arrangement-for-day-care-include:

1) illness-of-child-or-child's-caretaker, a holiday vacation-of-the-child-or-of-the-child's caretaker.---Payment-will-be-made-to-maintain-an arrangement-for-day-care-for-a-period-not-to exceed-a-total-of-two-calendar-weeks-per-year.

3) If-transportation-is-furnished-by-the-day-care provider-the-rate-approved-for-care-includes-the transportation-cost.---No-additional-payment-will be-authorized-for-transportation.

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Section 114.402 Special Needs Authorizations (Cont'd)

4) The-Department-will-allow-payment-only-after-the child's-caretaker-has-submitted-a-statement signed-by-the-day-care-provider-verifying-that the-number-of-days/hours-per-child-the-amount-of care-provided.

5) If-a-day-care-center's-regular-charge-is-less than-the-maximum-rate-approve-the-regular charge.---The-Department-will-not-pay-for-child care-services-at-a-rate-which-is-higher-than-the maximum-rate-charged-to-clients-for-whom-services are-not-paid-by-the-Department.

6) The-Department-will-not-approve-payment-for-any day-the-day-care-center-is-not-in-operation.

7) In-not-for-profit-day-care-centers-the-rate-paid by-the-Department-is-not-to-exceed-the-actual cost-of-care-on-a-per-child-basis-for-the facility-providing-the-service-or-the-maximum charged-to-clients-for-whom-services-are-not-paid by-the-Department.---(The-Department-will-not-pay more-for-clients-for-day-care-than-is-charged-to a-non-profit-aid-client.)

8) The-Department-will-not-pay-for-special-fees which-may-be-charged-by-the-center.

9) The-Department-will-not-pay-for-day-care-provided by-a-person-(relative-or-non-relative)-living-in the-same-home-as-the-child-(rent)-needing-care.

10) f) Transportation is required for drug and alcohol treatment/rehabilitation programs. Transportation is not to be paid by the Department if it can be provided without charge by relatives, friends or other agencies or services. A client is expected to use any cost free mode of transportation available in the community.

11) g) The Department will not use special needs items to determine need in establishing initial or continuing eligibility for GA. Need based on the Payment Level must exist before the consideration of payment for a special need.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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SUBPART H: CHILD CARE

Section 114.450 Child Care

a) This Subpart refers only to family cases as defined at 89 Ill. Adm. Code 101.20.

b) The Department will guarantee child care:

1) for each family case requiring such care, to the extent that such care is determined by the Department to be necessary for an individual in the family to accept employment or remain employed; and

2) for each individual participating in activities provided in Sections 114.124, 114.125, 114.126 and 114.127 including participation in ancillary support services or activities such as life skills training, substance abuse treatment, etc., if the Department has approved the activity (in accordance with Section 114.126) and has determined that the individual is satisfactorily participating (as defined at Section 114.127) in the activity.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.452 Child Care Eligibility

a) Child care will be provided for a dependent child of a person receiving General Assistance to allow such individual to participate in education or training or related activities.

b) Eligibility is also extended to children who meet the criteria in subsection (a) who would be dependent except for benefits under Supplemental Security Income under Title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) or foster care under Title IV-E of the Social Security Act (42 U.S.C. 670 et. seq.) and the caretaker relative is also a member of a household receiving General Assistance.

(Source: Added at 14 Ill. Reg. _____, effective _____)

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Section 114.454 Qualified Provider

Payment will be made for child care that otherwise meets the requirements of this Section and meets applicable standards of State and local law and regulation, including but not limited to licensure requirements promulgated by the Department of Children and Family Services (DCFS) at 89 Ill. Adm. Code 400, and Fire Prevention and Safety requirements promulgated by the Office of the State Fire Marshall at 41 Ill. Adm. Code 100, and is provided in any of the following:

a) Day Care Center

1) A day care center licensed by DCFS which regularly provides child care for less than twenty-four (24) hours per day:

A) for more than eight (8) children in a family home, or

B) for more than three (3) children in a facility other than a family home.

2) A day care center exempt from licensure pursuant to Section 2.09 of the Child Care Act of 1969 (Ill. Rev. Stat. 1987, ch. 23, par. 2212.09).

b) Licensed Day Care Home or License-Exempt Home

1) A licensed day care home is any family home which provides child care for less than twenty-four (24) hours per day, and for more than three (3) children up to a maximum of eight (8) children. The maximum of 8 children includes the family's natural or adopted children and all persons under the age of twelve (12). A licensed day care home does not include a home which provides child care to only children from the same household. (Section 2.18 of the Child Care Act of 1969 (Ill. Rev. Stat. 1987, ch. 23, par. 2212.18)).

2) A home exempt from licensing is a home in which no more than three unrelated children under the age of twelve (12) years, including the children of the provider, are cared for at one time. This home is not subject to licensing by DCFS.

c) Licensed Group Day Care Home

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Section 114.454 Qualified Provider (Cont'd)

A licensed group day care home is a home where no more than twelve (12) unrelated children, including the children of the providers, under the age of twelve (12) are cared for. (Section 2.20 of the Child Care Act of 1969 (Ill. Rev. Stat. 1987, ch. 23, par. 2212.20).

d) Relatives and Babysitters

1) Care provided by a relative in his or her home or in the child's home. Relatives living in the same home as the child are eligible for payment with the exception of the child's mother or father or a person in the same assistance grant as the child.

2) Care provided by a non-relative in the child's home provided the non-relative is not in the same assistance grant as the child.

e) The provisions of this section are not applicable to families using the child care disregard (as provided at Section 114.235 pursuant to Section 114.366).

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.456 Notification of Available Services

a) The Department will notify all applicants and families receiving General Assistance in writing and orally of programs and supportive services available to them for which they are eligible, and the rights, responsibilities and obligations of participants in the program.

b) The Department will respond to a request for child care within forty-five (45) days from the date the request is received in the local Public Aid Office.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.458 Participant Rights and Responsibilities

a) Hearings and Conciliation

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Section 114.458 Participant Rights and Responsibilities (Cont'd)

1) Persons receiving GA are entitled to hearings as provided at 89 Ill. Adm. Code 104: SUBPART A, as appropriate, on issues concerning the appropriateness of, denial of, prompt issuance of, or intended actions to discontinue, terminate, suspend or reduce ongoing assistance under this Part. However, changes in the manner of payment for on-going child care assistance are not subject to timely notice requirements unless they result in a discontinuance, suspension, reduction or termination of benefits, or they force a change in child care arrangements.

2) Assistance under this Part will not be continued at the previous level pending a hearing.

b) Child care services received by a family must be reasonably related to the hours of training or employment.

c) In cases where more than one type of child care is available, (e.g., center, home, etc.), the caretaker relative may choose the arrangement.

d) An individual who is not exempt from Project Chance participation by virtue of Section 114.121 may refuse available and appropriate child care as determined by the Department if he/she can arrange other child care or can show that such refusal will not prevent or interfere with participation in approved education or training activities or employment.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.460 Child Care Overpayments and Recoveries

a) A family or provider that receives a child care overpayment is responsible for reimbursing the Department for such overpayment.

b) Overpayments may be recovered through a reduction in the amount of child care benefits payable to a family or provider. However, in recovering child care overpayments from a family receiving GA the Department

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 114.460 Child Care Overpayments and Recoveries
(Cont'd)

will provide that the family retains, for any month, a reasonable amount of funds.

- c) Recovery of child care overpayments may be made only from child care benefits.
- d) Child care overpayments to individuals may be recovered from the family unit which was overpaid, from individuals who were members of the family when overpaid, or from families which include members of a previously overpaid family.
- e) In cases of families no longer receiving GA or families that refuse to pay, recovery will be made by appropriate action under state law against the income and resources of the overpaid individual or family.
- f) Underpayments and overpayments may be offset against each other in correcting incorrect payments.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.462 Additional Service to Secure or Maintain
Child Care Arrangements

The Department will provide child care for an individual receiving GA who is waiting to enter an approved education or training program, Project Chance component or employment:

- a) for a period not to exceed two weeks; or
- b) for a period not to exceed one month where child care arrangements would otherwise be lost and the subsequent activity is scheduled to begin within that period.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.464 Rates of Payment for Child Care

Rates of payment for child care will be made in amounts not to exceed the maximum rates per child as established by the DCFS

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NOTICE OF PROPOSED AMENDMENTS

Section 114.464 Rates of Payment for Child Care (Cont'd)

(see 89 Ill. Adm. Code 356.5(g)).

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.466 Method of Providing Child Care

Child care may be provided through one of the following methods:

- a) arranging the child care through eligible providers by use of purchase of service contracts or vouchers;
- b) arranging with other agencies and community volunteer groups for non-reimbursed child care;
- c) using the child care disregard as provided in Section 114.235; or
- d) adopting such other arrangements as the Department determines appropriate which facilitate service delivery and do not disadvantage the family receiving the service.

(Source: Added at 14 Ill. Reg. _____, effective _____)

SUBPART I: TRANSITIONAL CHILD CARESection 114.500 Transitional Child Care Eligibility

- a) This subpart refers only to family cases as defined at 89 Ill. Adm. Code 101.20
 - b) The Department will guarantee child care for each family case whose eligibility for GA benefits has ceased due to increased hours of, or earnings from, employment.
 - c) The family must request child care benefits and provide information necessary for determining eligibility and fees.
 - d) The family must have ceased to be eligible for GA on or after October 1, 1989.
- (Source: Added at 14 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

Section 114.502 Child Care Eligibility

- a) A family is eligible to receive Transitional Child Care benefits under this Part to the extent such Child care is necessary to permit a member of a GA family to accept or retain employment if the family otherwise meets the conditions of eligibility.
- b) Eligibility is also provided to children who meet the criteria in subsection (a) above who would be a dependent child except for the receipt of benefits under Supplemental Security Income under Title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) or foster care under Title IV-E of the Social Security Act (42 U.S.C. 670 et seq.) may also be provided child care to allow the caretaker relative to accept employment or remain employed if the conditions of subsection (a) and Section 114.500 are otherwise met.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.504

Duration of Eligibility for Transitional Child Care

- a) Eligibility for transitional child care begins with the first month for which the family is ineligible for GA, as described at Section 114.500, and continues for a period of twelve (12) consecutive months.
- b) Families may establish eligibility for transitional child care in any month of the twelve (12) month eligibility period, and eligibility may be retroactive to the first month for which the family would have been eligible in accordance with a) above.
- c) If the caretaker relative loses a job with good cause, and finds another job, the family can qualify for the remaining portion of the twelve (12) month eligibility period.
- d) If the family re-establishes eligibility for GA during the twelve (12) month period, it could qualify for a new twelve (12) month eligibility period if it meets the other conditions of eligibility.

(Source: Added at 14 Ill. Reg. _____, effective _____)

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Section 114.506 Loss of Eligibility for Transitional Child Care

The family is not eligible for transitional child care under this Part for any remaining portion of the twelve (12) month period if the caretaker relative:

- a) terminates employment without good cause;
- b) fails to cooperate with the Department in establishing payments and enforcing child support obligations as set forth at 89 Ill. Adm. Code 160.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.508

Qualified Provider

- a) Payment will be made for child care that otherwise meets the requirements of this Section and meets applicable standards of State and local law and regulation, including but not limited to licensure requirements promulgated by DCFS at 89 Ill. Adm. Code 400, and Fire Prevention and Safety requirements promulgated by the Office of the State Fire Marshall at 41 Ill. Adm. Code 100, and is provided by qualified providers in accordance with Section 114.454.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.510

Notification of Available Services

- a) The Department will notify all families, at the time they become ineligible for GA, of their potential eligibility for transitional child care services under this Part, in writing and orally as appropriate.
- b) Notification will include information on steps necessary to establish eligibility for benefits and the families rights and responsibilities under the program.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.512 Participant Rights and Responsibilities

- a) Provision of benefits under this Part are subject to hearing provisions as provided at 89 Ill. Adm. Code

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NOTICE OF PROPOSED AMENDMENTS

Section 114.512 Participant Rights and Responsibilities
(Cont'd)

104: SUBPART A.

b) Timely notice provisions do not apply to changes in the manner of payment, unless those changes result in the discontinuation, suspension, reduction, or termination of benefits, or force a change in child care arrangements.

c) In cases where a family appeals a decision by the Department under this part, benefits will continue pending the hearing.

d) Child care must be reasonably related to hours of employment.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.514 Child Care Overpayments and Recoveries
Child care overpayments and recoveries will be conducted pursuant to Section 114.460.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.516 Fees for Service for Transitional Child Care

a) Each family that receives transitional child care service under this Part must contribute toward the payment for such child care based on the family's ability to pay.

b) Fees will be assessed in accordance with the sliding fee scale schedule promulgated by DCFS (see 89 Ill. Adm. Code 352).

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 114.518 Rates of Payment for Transitional Child Care

Rates of payment for transitional child care will be made in amounts not to exceed the maximum rates per child as

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 114.518 Rates of Payment for Transitional Child Care
(Cont'd)

established by the DCFS (see 89 Ill. Adm. Code 356.5(g)).

(Source: Added at 14 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: HOSPITAL SERVICES2) Code Citation: 89 Ill. Adm. Code 1483) Section Number:
148.140
Proposed Action:
Amendment4) Statutory Authority: Sections 5-5.1 et seq and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 5-5.1 et seq and 12-13)5) A Complete Description of the Subjects and Issues Involved: This rule revision deletes the reference to scope of service when defining the major teaching grouping for payment maximums. The scope of service is no longer used as a grouping criterion for reimbursement purposes. This revision also deletes obsolete language referencing the 1987 appropriation.6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒8) Does this Proposed Amendment contain incorporations by reference? No9) Are there any other Proposed Amendments pending on this Part? No10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762, (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

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NOTICE OF PROPOSED AMENDMENT

12) Initial Regulatory Flexibility Analysis:

- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 29, 1990
- B) Types of small businesses affected: Medical Providers
- C) Reporting, bookkeeping or other procedures required 25f compliance: No new procedures required.
- D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendment begins on the next page:

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148
HOSPITAL SERVICES

- Section 148.10 Hospital Services
- 148.20 Participation
- 148.30 General Requirements
- 148.40 Special Requirements
- 148.50 Covered Hospital Services
- 148.60 Hospital Services Not Covered
- 148.70 Limitation On Hospital Services
- 148.80 Transplants
- 148.90 Heart Transplants
- 148.100 Liver Transplants
- 148.110 Bone Marrow Transplants
- 148.120 Disproportionate Share Hospital Adjustments
- 148.130 Payment for Inpatient Services for GA
- 148.140 Hospital Outpatient and Clinic Services
- 148.150 Payment for Hospital Services During Fiscal Year 1982
- 148.160 Payment for Hospital Services During Fiscal Year 1983
- 148.170 Limits on Length of Stay by Diagnosis
- 148.180 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting
- 148.190 Copayments
- 148.200 Payment Methodology
- 148.210 Non-Participating Hospitals
- 148.220 Pre July 1, 1989 Services
- 148.230 Post June 30, 1989 Services
- 148.240 Prepayment Review
- 148.250 Base Year Costs
- 148.260 Restructuring Adjustment
- 148.270 Inflation Adjustment
- 148.280 Groupings
- 148.290 Rate Calculation
- 148.300 Payment
- 148.310 Review Procedure
- 148.320 Alternatives
- 148.330 Exemptions
- 148.340 Subacute Alcoholism and Substance Abuse Services
- 148.350 Definitions
- 148.360 Types of Subacute Alcoholism and Substance Abuse Services
- 148.370 Payment for Subacute Alcoholism and Substance Abuse Services

NOTICE OF PROPOSED AMENDMENT

- Section 148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Services
- 148.390 Hearings

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13).

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; amended at 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 148.140 Hospital Outpatient and Clinic Services

- a) Reimbursement to hospitals for claims for services provided prior to July 1, 1983 will be calculated and paid in accordance with the statutes and administrative rules governing the time period in question (see Sections 148.150, 148.160 and 89 Ill. Adm. Code 140.460 thru 140.467, and Emergency Rules 89 Ill. Adm. Code 150.10 through 150.90).

b) Reimbursement

- 1) Reimbursement for hospital outpatient and clinic services provided on or after July 1, 1983, shall be made on a fee for service basis.
- 2) Reimbursement levels shall be at the lower of the hospital's usual and customary charge to the public or the Department's statewide maximum reimbursement screens. Hospitals will be required to bill the Department utilizing those specific service codes and client coverage policies (relating to client eligibility and scope of services available to those clients) which apply to the service in question and which are used by non-hospital providers who bill on a fee for service or other basis for such services.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 148.140 Hospital Outpatient and Clinic Services
(Cont'd)

- 3) Reimbursement for the fee codes established 7/1/83-July 1, 1983, and implemented through 3/31/86-March 31, 1986, for procedures performed in a hospital setting will be calculated and paid in accordance with the statutes and administrative rules governing the time period in question.
- 4) Effective April 1, 1986, additional fee codes will be established for outpatient procedures performed in a hospital setting. Procedures will be grouped and reimbursed according to whether they are high level technology surgical procedures or other procedures. High level Technology Surgical Procedures are those which either require general or spinal anesthesia or require any two of the following three criteria: the use of special equipment, a major surgical pack as opposed to a minor surgical pack, or longer than one hour of surgical time. High level technology surgeries will be reimbursed at the lower of actual charges or that hospital's inpatient contract rate (per diem rate for non-contracting hospitals) equivalent to a one day inpatient stay. Other ambulatory surgical, specialized cardiac and diagnostic procedures will be reimbursed at the lower of actual charges or the Department's designated payment maximum. Two groupings will be used to establish the State maximums - major teaching and other hospitals. A major teaching hospital is one having four or more graduate medical education programs - accredited by the American Medical Association, the American Dental Association or the American Osteopathic Association-and-a-seope-of-service index-of-at-least-40. The specialized treatment procedures, high risk and emergency room visits will be reimbursed according to fiscal year 1986 payment methodology. Certain high level technology services recognized and approved by the Department as safe outpatient procedures will be reimbursed in a category separate from other specialized cardiac procedures and diagnostic procedures. This special category currently includes the following procedures: Magnetic

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NOTICE OF PROPOSED AMENDMENT

Section 148.140 Hospital Outpatient and Clinic Services
(Cont'd)

- Resonance Imaging (MRI), Computerized Axial Tomography (Cat Scan), and Cardiac Catheterization.
- 5) A list of restricted inpatient procedures pursuant to Section 148.180(b) will be established and those procedures will only be reimbursed when performed outside the inpatient setting or when the hospital supplies justification for an inpatient admission that meets Departmental established criteria. These criteria include, but are not limited to:
- A) Presence of medical conditions which make prolonged post-operative observations by a nurse or skilled medical personnel a necessity (e.g., heart disease, severe diabetes).
 - B) An unrelated procedure is being done simultaneously which itself requires surgical hospitalization.
 - C) The patient is unable to comprehend and/or follow the necessary instruction both prior to and following the procedure due to mental and/or physical impairment, and this would result in inadequate treatment and place the patient at risk.
 - D) Emergency admission or recent onset of severe symptoms would prohibit safely performing the procedure on an outpatient basis (e.g., bleeding, severe pain, nausea, vomiting).
 - E) Admission occurs subsequent to the performance of the procedure on an outpatient basis due to conditions such as:
 - i) instability of vital signs
 - ii) respiratory distress greater than existed pre-operatively

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NOTICE OF PROPOSED AMENDMENT

Section 148.140

Hospital Outpatient and Clinic Services
(Cont'd)iii) post-operative pain not relieved by
oral medication

iv) uncontrolled bleeding

v) lack of state of consciousness
appropriate to age and developmentvi) presence of persistent nausea or
vomitingvii) inability to ambulate consistent with
age, previous mobility status and/or
procedure.

6) Reimbursement levels for additional fee codes that are eligible for payment pursuant to Sections 148.140(b)(4) and (5) will be at the lower of the hospital's actual charge or the Department's designated payment maximum. This payment shall be considered full and final payment for those procedures performed. The fee levels designed for each group of ambulatory procedures are calculated to ensure spending approximately the full fiscal year 1987-Hospital Ambulatory-Care-Appropriation.

c) Payment for outpatient end-stage renal disease treatment (ESRDT) services provided pursuant to Section 148.40(c) shall be made at the Department's payment rates, as follows:

1) For inpatient hospital services provided pursuant to 148.40(c)(1), the Department shall reimburse hospitals pursuant to Sections 148.200 through 148.330 and 89 Ill. Adm. Code 149.

2) For outpatient services or home dialysis treatments provided pursuant to Section 148.40(c)(2) or (3), the Department will reimburse hospitals and clinics for ESRDT services at a rate which will reimburse the provider for the dialysis treatment and all related supplies and equipment, as defined in 42

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NOTICE OF PROPOSED AMENDMENT

Section 148.140

Hospital Outpatient and Clinic Services
(Cont'd)

CFR 405.231(o) (1984). This rate will be that rate established by Medicare pursuant to 42 CFR 405.439 and 405.441 (1984).

3) Payment for non-routine services. For services which are provided during outpatient or home dialysis treatment pursuant to Section 148.40(c)(2) or (3) but are not defined as a routine service under 42 CFR 405.231(o) (1984), separate payment will be made to independent laboratories, pharmacies, and medical supply providers pursuant to 89 Ill. Adm. Code 140.430 through 140.434, 140.440 through 140.450, and 140.475 through 140.481, respectively.

4) Payment for physician services relating to ESRDT will be made separately to physicians, pursuant to 89 Ill. Adm. Code 140.400.

d) Statewide fee screens for outpatient and clinic services shall be increased for fiscal year 1985 over those used in fiscal year 1984 by a weighted average 10 percent rate increase.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: MEDICAL PAYMENT2) Code Citation: 89 Ill. Adm. Code 1403) Section Number: Proposed Action:

140.24 Amendment

4) Statutory Authority: Section 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 5-5.1 et seq. and 12-13)5) A Complete Description of the Subjects and Issues Involved: This revision addresses the inclusion of policy regarding Alternate Payees and identifies those situations in which the Alternate Payee is acceptable.6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No7) Does this Amendment contain an automatic repeal date?
Yes ☒ No ☐8) Does this Proposed Amendment contain incorporations by reference? No9) Are there any other Proposed Amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.400	Amendment	February 2, 1990 (14 Ill. Reg. 1737)
140.413	Amendment	March 23, 1990 (14 Ill. Reg. 4860)
140.420	Amendment	January 26, 1990 (14 Ill. Reg. 1570)
140.421	Amendment	January 26, 1990 (14 Ill. Reg. 1570)
140.435	Amendment	February 2, 1990 (14 Ill. Reg. 1737)
140.436	Amendment	February 2, 1990 (14 Ill. Reg. 1737)

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<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.475	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.476	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.477	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.478	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.479	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.480	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.481	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.525	Amendment	November 17, 1989 (13 Ill. Reg. 17667)
140.526	Amendment	November 17, 1989 (13 Ill. Reg. 17667)
140.528	Amendment	November 17, 1989 (13 Ill. Reg. 17667)
140.542	Amendment	March 16, 1990 (14 Ill. Reg. 4415)
140.543	Amendment	March 16, 1990 (14 Ill. Reg. 4415)
140.544	Repealed	March 16, 1990 (14 Ill. Reg. 4415)
140.545	Amendment	March 16, 1990 (14 Ill. Reg. 4415)
140.565	Repealed	November 17, 1989 (13 Ill. Reg. 17667)
140.566	Repealed	November 17, 1989 (13 Ill. Reg. 17667)

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Section Numbers	Proposed Action	Illinois Register Citation
140.567	Repealed	November 17, 1989 (13 Ill. Reg. 17667)
140.568	Repealed	November 17, 1989 (13 Ill. Reg. 17667)
140.642	Amendment	March 2, 1990 (14 Ill. Reg. 3019)
140.646	Amendment	March 16, 1990 (14 Ill. Reg. 4415)
140.647	Amendment	March 16, 1990 (14 Ill. Reg. 4415)
140.648	Amendment	March 16, 1990 (14 Ill. Reg. 4415)
140.649	Amendment	March 16, 1990 (14 Ill. Reg. 4415)
140.650	Amendment	March 16, 1990 (14 Ill. Reg. 4415)
140.652	Amendment	March 16, 1990 (14 Ill. Reg. 4415)
140.Table D	Amendment	January 26, 1990 (14 Ill. Reg. 1570)
140.Table H	Amendment	March 2, 1990 (14 Ill. Reg. 3019)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762, (217) 782-1233. The Department will consider all

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written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMSPART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

- Section
140.1 Incorporation By Reference
140.2 Medical Assistance Programs
140.3 Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy
140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5 Covered Medical Services Under GA and AMI
140.6 Medical Services Not Covered
140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Infants Under Age One Year
140.8 Medical Assistance For Qualified Severely Impaired Individuals
140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

- Section
140.11 Enrollment Conditions for Medical Providers
140.12 Participation Requirements for Medical Providers
140.13 Definitions
140.14 Denial of Application to Participate in the Medical Assistance Program
140.15 Recovery of Money
140.16 Termination of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

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- Section
140.18 Effect of Termination on Individuals Associated with Vendor
140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring Submittal of Claims
140.20 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
140.21 Magnetic Tape Billings
140.22 Payment of Claims
140.23 Payment Procedures
140.24 Overpayment or Underpayment of Claims
140.25 Payment to Factors Prohibited
140.26 Assignment of Vendor Payments
140.27 Record Requirements for Medical Providers
140.28 Audits
140.30 False Reporting and Other Fraudulent Activities
140.35 Prior Approval for Medical Services or Items
140.40 Prior Approval in Cases of Emergency
140.41 Limitation on Prior Approval
140.42 Post Approval for Items or Services When Prior Approval Cannot Be Obtained
140.43 Drug Manual (Recodified)
140.71 Drug Manual (Recodified)
140.72 Drug Manual (Recodified)
140.73 Drug Manual Updates (Recodified)

SUBPART C: HOSPITAL SERVICES

- Section
140.94 Hospital Services (Recodified)
140.94 Participation (Recodified)
140.95 General Requirements (Recodified)
140.96 Special Requirements (Recodified)
140.97 Covered Hospital Services (Recodified)
140.98 Hospital Services Not Covered (Recodified)
140.99 Limitation On Hospital Services (Recodified)
140.100 Transplants (Recodified)
140.101 Heart Transplants (Recodified)
140.102 Liver Transplants (Recodified)
140.103 Bone Marrow Transplants (Recodified)
140.104 Disproportionate Share Hospital Adjustments (Recodified)
140.110 Payment for Inpatient Services for GA (Recodified)
140.116 Hospital Outpatient and Clinic Services (Recodified)
140.117 Payment for Hospital Services During Fiscal Year 1982 (Recodified)
140.201 Payment for Hospital Services After June 30, 1982 (Repealed)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section
140.202

Payment for Hospital Services During Fiscal Year 1983 (Recodified)

140.203 Limits on Length of Stay by Diagnosis (Recodified)
140.300 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)

140.350

Copayments (Recodified)

140.360 Payment Methodology (Recodified)

140.361 Non-Participating Hospitals (Recodified)

140.362 Pre July 1, 1989 Services (Recodified)

140.363 Post June 30, 1989 Services (Recodified)

140.364 Prepayment Review (Recodified)

140.365 Base Year Costs (Recodified)

140.366 Restructuring Adjustment (Recodified)

140.367 Inflation Adjustment (Recodified)

140.368 Volume Adjustment (Repealed)

140.369 Groupings (Recodified)

140.370 Rate Calculation (Recodified)

140.371 Payment (Recodified)

140.372 Review Procedure (Recodified)

140.373 Utilization (Repealed)

140.374 Alternatives (Recodified)

140.375 Exemptions (Recodified)

140.376 Utilization, Case-Mix and Discretionary Funds (Repealed)

140.390 Subacute Alcoholism and Substance Abuse Services (Recodified)

140.391 Definitions (Recodified)

140.392 Types of Subacute Alcoholism and Substance Abuse Services (Recodified)

140.394 Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)

140.396 Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)

140.398 Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section

140.400 Payment to Practitioners and Laboratories

140.410 Physicians' Services

140.411 Covered Services By Physicians

140.412 Services Not Covered By Physicians

140.413 Limitation on Physician Services

140.414 Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians

140.416 Optometric Services and Materials

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Section

140.417 Limitations on Optometric Services
140.418 Department of Corrections Laboratory
140.420 Dental Services
140.421 Limitations on Dental Services
140.422 Requirements for Prescriptions and Dispensing Items of Pharmacy Items - Dentists

140.425

Podiatry Services

140.426 Limitations on Podiatry Services

140.427 Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry

140.428

Chiropractic Services

140.429 Limitations on Chiropractic Services (Repealed)

140.430 Independent Laboratory Services

140.431 Services Not Covered by Independent Laboratory

140.432 Limitations on Independent Laboratory Services

140.433 Payment for Laboratory Services

140.434 Record Requirements for Independent Laboratories

140.440 Pharmacy Services

140.441 Pharmacy Services Not Covered

140.442 Prior Approval of Prescriptions

140.443 Filling of Prescriptions

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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13).

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days;

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amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22097, effective effective October 29, 1984; amended at 8 Ill. Reg. 22155, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23218, 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14884, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October

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24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 598, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.912 and 140.912 and 140.912 Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.205 and 147.205 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351,

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effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; amended 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section 140.24 Payment Procedures

- a) Payment of valid claims will be made by a State warrant (check) issued through the Office of the State Comptroller. Payments for services rendered by medical providers will only be mailed to:
- 1) The provider's service address, or
 - 2) The provider's residence.
- b) Payment will not be mailed to lock boxes or post office boxes where street address delivery is available.
- c) A long term care facility and its corporate or partnership owner may request the facility's warrant

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Section 140.24 Payment Procedures (Cont'd)

be sent directly to the business address of the corporate or partnership owner. The Department's approval of this type of request will be given only if the owner(s) has a minimum of four facilities which are located within Illinois and which are enrolled with the Department. After approval is given the warrant will be issued in the name of the facility but sent to the business address of the corporate or partnership owner rather than the facility.

d) The Department may permit individual practitioners to designate an alternate payee if one of the following conditions is met:

- 1) The medical practitioner has a contractual/salary arrangement, as a condition of employment with a hospital or professional school.
- 2) The medical practitioner is part of a practitioner owned group practice consisting of three or more full-time licensed practitioners or the equivalent thereof.
- 3) The medical practitioner is employed by a practitioner who requires, as a condition of employment, that the fees be turned over to the employer.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

- 1) The Heading of the Part: REIMBURSEMENT FOR NURSING COSTS FOR GERIATRIC FACILITIES
- 2) Code Citation: 89 Ill. Adm. Code 147
- 3) Section Number: 147.250 Proposed Action: New Section
- 4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 5-5.1 et seq. and 12-13)
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking provides for reimbursement for costs incurred by long term care providers as a result of requirements imposed under the terms of the Omnibus Budget Reconciliation Act of 1987 (OBRA '87). This change is estimated to increase the Department's annual aggregate expenditures by \$27,000,000.
- 6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐
- 8) Does this Proposed Amendment contain incorporations by reference? No.
- 9) Are there any other Proposed Amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (Ill. Rev. Stat. 1987, ch. 85, par. 2205): This rulemaking has no effect on local governmental units.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Dan Leikvold, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building, 100 South Grand Avenue East, Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

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Interested parties can review the rules and related cost analysis pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: April 1, 1990
- B) Types of small businesses affected: Medical Providers
- C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.
- D) Types of professional skills necessary for compliance: No skills required.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 147

REIMBURSEMENT FOR NURSING COSTS FOR
GERIATRIC FACILITIES

Section

147.5	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities
147.25	Functional Needs and Restorative Care
147.50	Service Needs
147.75	Definitions
147.100	Reconsiderations
147.105	Midnight Census Report
147.125	Times and Staff Levels
147.150	Statewide Rates
147.175	Referrals
147.200	Basic Rehabilitation Aide Training Program
147.205	Nursing Rates
147.250	Costs Associated with the Omnibus Budget Reconciliation Act of 1987

TABLE A Staff Time and Allocation by Need Level

TABLE B Staff Time and Allocation for Restorative Programs

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Recodified from 89 Ill. Adm. Code 140.900 thru 140.912 and 140.913 thru 140.914. Table I at 12 Ill. Reg. 6956; amended at 13 Ill. Reg. 559, effective January 1, 1989; amended at 13 Ill. Reg. 7043, effective April 24, 1989; emergency amendment at 13 Ill. Reg. 10999, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 16796, effective October 13, 1989; amended at 14 Ill. Reg. 210, effective December 21, 1989; amended at 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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Section 147.250

Costs Associated with the Omnibus Budget Reconciliation Act of 1987

a) Reimbursement for Comprehensive Patient Assessment

1) Variable Time Reimbursement:

- A) Effective July 1, 1990, nursing facilities will be reimbursed for the new variable time service category, comprehensive patient assessment. For the reimbursement year July 1, 1990 through June 30, 1991, reimbursement of this service item will cover the period October 1, 1990 (the effective date of the new federal regulation) through June 30, 1991. Starting with July 1, 1991, the reimbursement will cover the full reimbursement year.

B) For the reimbursement period of July 1, 1990

until the nursing facility's annual Inspection of Care nursing reimbursement rate update in Calendar Year 1991, the associated per diem per resident amounts of staff time and staff levels for this category of service shall be three minutes of nurse aide time and three minutes of licensed nurse time.

C)

Effective January 1, 1991, as individual nursing facilities are scheduled to have their annual Inspection of Care nursing reimbursement rate update, reimbursement for this category of service will be based on individual resident need assessments from the resident assessment instrument. The per diem per resident amounts of staff time and staff levels associated with resident assessment scores are located in Section 147. Table A.

2) Determination of Facility Rate:

- A) For the reimbursement period July 1, 1990 through June 30, 1991, the reimbursement amounts for comprehensive patient assessment shall be calculated for each resident by multiplying the number of minutes for this

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Section 147.250

Costs Associated with the Omnibus Budget Reconciliation Act of 1987 (Cont'd.)

assessment item by the appropriate wages (as derived according to Rule 147.150, b, 1, A), and further multiplying this amount by .75 in order to prorate the nine month per diem amount to be paid over the full twelve months of the July 1, 1990 through June 30, 1991 reimbursement year.

- B) The prorated per diem amount for comprehensive patient assessment calculated for each resident will be added to the other amounts calculated for the assessed needs of the resident and the facility rate will then be determined as specified in Rule 147.150, c, 1.

C) Effective July 1, 1991, the proration of a

nine month reimbursement to be reimbursed over a twelve month period will be discontinued and the reimbursement amounts for comprehensive patient assessment shall cover the full twelve months of the reimbursement year.

b) Reimbursement of Social Work Services

- 1) Effective July 1, 1990, nursing facilities will be reimbursed for social work services. The reimbursement of this service item will cover the nine month period from October 1, 1990 through June 30, 1991 for the reimbursement year July 1, 1990 through June 30, 1991. Starting July 1, 1991, the reimbursement will be for a full twelve month reimbursement year.

- 2) Per diem reimbursement for social work services will be based on the ratio of total social work wage costs to the total nursing wage costs for the facilities in each region. The actual social work and nursing wage costs facilities report in the cost reports will be used in obtaining the regional ratio, unless the nursing facility reports no social work wage costs or the facility has 120 or more beds and it reports annualized paid and accrued social work hours of less than

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Section 147.250 Costs Associated with the Omnibus Budget Reconciliation Act of 1987 (Cont'd.)

2080 hours. In the case of no social work wage costs reported, the facility's data will be excluded in deriving the regional ratio. For a facility with 120 or more beds, the social work hours to be used in deriving the wage costs will be the greater of the reported paid and accrued social work hours or the annual 2080 hour standard adjusted to the length of the facility's cost report period.

3) For the reimbursement period July 1, 1990 through June 30, 1991, the social work to nursing cost regional ratio derived in 2. above will be multiplied by .75 in order to prorate the nine month per diem reimbursement amount to be paid over the full twelve months of the July 1, 1990 through June 30, 1991 reimbursement year. Effective July 1, 1991, the proration will be discontinued and the reimbursement for social work services shall cover the full twelve months of the reimbursement year.

4) The resulting regional ratio will be applied to the per diem nursing care time cost amounts (staff minutes multiplied by per minute wage) obtained from the resident assessments to derive the per diem social work service reimbursement to be added to the final nursing rate which has been adjusted according to Rule 140.562, h. This will result in the final nursing and program rate.

c) Reimbursement for Registered Nurse Coverage

1) Effective July 1, 1990, to reimburse nursing facilities required to add registered nurse coverage to meet the new OBRA requirements of maintaining registered nurse coverage eight hours per day seven days a week (effective October 1, 1990), the reimbursement for Director of Nursing (as derived according to Rule 147.150, b., 5.) shall be expanded to include additional costs of RN coverage. The reimbursement of these additional costs will cover a nine month period for the July 1, 1990 through June 30, 1991

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Section 147.250 Costs Associated with the Omnibus Budget Reconciliation Act of 1987 (Cont'd.)

reimbursement year. Starting July 1, 1991, the reimbursement will cover the full fiscal year.

2) The additional costs for RN coverage will be derived as follows:

A) If a nursing facility reports no registered nurse salary costs in the cost report and the average hourly wages for the Director of Nursing (DON) and the Assistant Director of Nursing (ADON) are less than the average hourly registered nurse (RN) wage for the region, the annual RN salary cost will be determined by multiplying an annual 2912 hour RN coverage standard by the average hourly RN wage for the region. The amount will be adjusted to the length of the facility's cost report period to obtain the additional salary costs for RN coverage. If either the DON or the ADON average hourly wages are equal to or above the average hourly RN wage for the region, the annualized DON and ADON hours paid and accrued at a wage equal to or above the average hourly RN wage will be deducted from the 2912 hour standard used in deriving the annual salary cost for RN coverage. If the balance of hours is equal to or less than zero, the facility's additional salary cost for RN coverage will be zero.

B) If a nursing facility reports RN salary costs and the annualized paid and accrued hours are below the 2912 hour standard, the difference between the annualized paid and accrued hours and the 2912 hour standard will be determined. If either the DON or ADON average hourly wages are equal to or above the average hourly RN wage for the region, the annualized DON and ADON hours paid and accrued at a wage level equal to or above the average hourly RN wage for the region will be deducted from the hour difference. The balance of hours will be multiplied by the average hourly RN wage for

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NOTICE OF PROPOSED AMENDMENT

Section 147.250

Costs Associated with the Omnibus Budget Reconciliation Act of 1987 (Cont'd.)

the region and the product will be adjusted to the length of the facility's cost report period to obtain the facility's additional salary costs for RN coverage. If the balance of hours is equal to or less than zero, the facility's additional salary cost for RN coverage will be zero.

C) For the reimbursement period July 1, 1990 through June 30, 1991, the additional salary costs for RN coverage obtained in A. or B. above will be multiplied by .75 in order to prorate the nine month reimbursement to be paid over the full twelve months of the reimbursement year.

For the year beginning July 1, 1991, the proration will be discontinued and the reimbursement for additional RN coverage shall cover the full twelve months of the reimbursement year.

D) The final additional salary costs for RN coverage obtained from C. above shall be added to the facility's DON costs as reported in the cost report. The adjusted facility costs shall be used in determining the regional DON reimbursement ratio used to derive the DON reimbursement amount (as specified in Rule 147.150 b., 5.).

E) For facilities which have obtained a waiver of this RN coverage provision from the Illinois Department of Public Health and for facilities which do not meet the conditions described in A. or B. above, the additional salary costs for RN coverage will be zero. For fiscal year beginning July 1, 1992, no additional salary costs will be added for RN coverage.

(Source: Added at 14 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part:

Ambulatory Surgical Treatment Center Licensing Requirements

2) Code Citation:

77 Ill. Adm. Code 205

3) Section Numbers:

205.120	Amendments
205.125	Amendments
205.350	Amendments
205.520	Amendments
205.540	Amendments
205.710	Repeal; New Section
205.720	Repeal
205.730	Repeal
205.740	Repeal
205.750	Repeal
205.760	Repeal
205.1380	Amendments

4) Statutory Authority:

Ambulatory Surgical Treatment Center Act

Ill. Rev. Stat. 1987, ch. 111 1/2, par. 157-8.1 et seq.

5) A Complete Description of the Subjects and Issues Involved:

The Department of Public Health is proposing changes in the licensing requirements for ambulatory surgical treatment centers to implement requirements for surgical centers which only perform abortions and related procedures. These changes, which are also being adopted on an emergency basis through publication of a Notice of Emergency Amendments elsewhere in this issue of the Illinois Register, implement the court decision in *Ragsdale v. Turnock* which allows the Department to adopt, implement, and enforce licensing requirements for these surgical centers. These changes are also consistent with the Ambulatory Surgical Treatment Center Act.

These amendments create a separate classification of surgical centers which are limited to abortions and related procedures. Under these amendments, these centers will be classified as "pregnancy termination specialty centers." Specific exemptions and modifications of the licensing requirements will apply to these centers. The Department believes that these changes will provide adequate protection for patients

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NOTICE OF PROPOSED AMENDMENTS

of these centers, without imposing unnecessary barriers to the provision of these services.

Changes in Section 205.120 (application for initial licensure), Section 205.125 (application for license renewal), Section 205.350 (laboratory services), Section 205.520 (preoperative care), Section 205.540 (postoperative care), and Section 205.1380 (diagnostic facilities) will apply to all ambulatory surgical treatment centers. These changes address issues which were raised in relation to the impact on centers which only perform abortions and related procedures; however, the Department believes that the provisions were inaccurate, unduly restrictive, or unnecessary for all licensed centers and is making appropriate changes on that basis. For example, several of these changes reflect the recent changes in the requirements for laboratory testing under the Department's rules entitled "Illinois Clinical Laboratories Code" (77 Ill. Adm. Code 450).

The amendments include the replacement of most of the provisions of Subpart G with the special requirements for pregnancy termination specialty centers. The court has ruled that these provisions were unduly restrictive requirements which restricted access to abortion services. Several provisions which were located in Subpart G have been revised and relocated in Sections 205.520 and 205.540. The requirements in Section 205.520(d) were revised and relocated from Section 205.720(a)(1) and (a)(2). Similarly, the provisions in Section 205.540(b) and (g) were revised and relocated from Section 205.750(a) and (b). The revised provisions will apply to all pregnancy terminations performed in fully licensed ambulatory surgical treatment centers and in pregnancy termination specialty centers.

Section 205.710(a) defines pregnancy termination specialty centers and establishes conditions for their classification. These provisions limit these centers to procedures to terminate pregnancy performed within 18 weeks assessed gestational age and other gynecologic procedures related to the termination of pregnancy. These provisions also limit the types of anesthesia which may be used in these centers and specify the types of policies and procedures which may be established by these centers.

Section 205.710(b) contains the specific exceptions and modifications of the licensing requirements which apply to pregnancy termination specialty centers. Only the provisions specifically addressed in Section 205.710(b) are being relaxed or changed for these centers; all of the other licensing requirements will apply to these centers in the same manner in which they apply to fully licensed ambulatory surgical treatment centers.

The Department anticipates adoption of these amendments prior to

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

expiration of the emergency amendments which will be replaced by these proposed amendments.

- 6) Will these Proposed Amendments Replace an Emergency Rule Currently in Effect? Yes.
- These amendments are also being adopted on an emergency basis through publication of a Notice of Emergency Amendments elsewhere in this issue of the Illinois Register.
- 7) Does this Rulemaking contain an Automatic Repeal Date? No.
- 8) Do these Proposed Amendments Contain Incorporations By Reference? No.
- 9) Are there any other Proposed Amendments Pending on this Part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking neither creates nor expands a state mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Proposed Rulemaking:

Interested persons may present their comments concerning these rules by writing to Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, within 45 days after this edition of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address. Any small business (as defined in Section 3.10 of the Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

- A) Date Rule was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:
- B) Type of Small Businesses Affected: Ambulatory surgical centers.
- C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

No additional reporting, bookkeeping or other procedures are required for compliance.

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D) Types of Professional Skills Necessary for Compliance:

No additional professional skills are necessary for compliance.

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Illinois Register on page 5599.

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NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part:

Child Health Examination Code

2) Code Citation:

77 Ill. Adm. Code 665

3) Section Numbers:

665.240

Proposed Action:

Amendments

4) Statutory Authority:

The School Code
Ill. Rev. Stat. 1987, ch. 122, par. 27-8.1 et seq.

5) A Complete Description of the Subjects and Issues Involved:

These emergency rules modify the existing requirement that children receive a single vaccination with the live measles virus vaccine at fifteen months or older to require two vaccinations with the first being at least 12 months of age and the second no less than a month later. In addition, these emergency rules specify that a student entering the fifth grade for the first time after July 1990 must show proof of immunization with 2 doses of vaccine. The first dose must be at least 12 months and the second no less than a month later.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes X No —

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes — No X

If "yes," please specify the date: —

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes — No X

If "yes," please specify type: 6.02(a) — or 6.02(b) —

9) Are there any other Proposed Amendments Pending on this Part?

Yes — No X

If Yes: —

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
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10) Statement of Statewide Policy Objectives:

This rulemaking should neither expand or contract a State mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

March 29, 1990

B) Type of Small Businesses Affected:

Schools and health care providers.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

An additional date must be reported.

D) Types of Professional Skills Necessary for Compliance:

None.

The Proposed Amendments are identical to the text of the Emergency Amendments which appear on pag@619of this issue of the Illinois Register.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS1) Heading of the Part:

College Immunization Code

2) Code Citation:

77 Ill. Adm. Code 694

3) Section Numbers:

694.20

694.100

Appendix A

Proposed Action:

Amendment

Amendment

Amendment

4) Statutory Authority:

AN ACT concerning education and amending an Act herein named Ill. Rev. Stat. 1988 Supp., ch. 144, par. 2601 et seq.

5) A Complete Description of the Subjects and Issues Involved:

This rulemaking modifies the existing requirements that children receive a single vaccination with the live measles virus vaccine on or after their first birthday to require two vaccinations on or after their first birthday. In addition, these emergency rules specify that a student attending a post-secondary educational institution prior to the Fall of 1990 who has received a single vaccination with live measles virus vaccine should be considered immune. However, students who transfer to or begin attending a post-secondary institution in the Fall term of 1990 must show documentation of two vaccinations.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes X No

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes No X

If "yes," please specify the date:

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes No X

If "yes," please specify type: 6.02(a) or 6.02(b)

9) Are there any other Proposed Amendments Pending on this Part?

Yes No X

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If Yes:

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
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10) Statement of Statewide Policy Objectives:

This rulemaking should not create or expand a State mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

March 29, 1990

B) Type of Small Businesses Affected:

Schools and health care providers.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

An additional date is required on the reporting form.

D) Types of Professional Skills Necessary for Compliance:

None.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER K: COMMUNICABLE DISEASE CONTROL AND IMMUNIZATIONS

PART 694
COLLEGE IMMUNIZATION CODE
SUBPART A: GENERAL PROVISIONS

<u>Section</u>	<u>Purpose</u>
694.10	Definitions
694.20	Definitions

694.100 Proof of Immunity
694.110 Recordkeeping
694.120 Completion and Submission of the Summary Report

SUBPART C: EXEMPTIONS

694.200 Medical Exemption
694.210 Religious Exemption
694.220 Classification Exemption

Appendix A Certificate of Immunity Form
Appendix B Summary Report of the Immunization Status of College/University Students
Appendix C Required Elements of Health Record

AUTHORITY: Implementing and authorized by "AN ACT concerning education and amending an Act herein named" (Ill. Rev. Stat. 1988 Supp., ch. 144, par. 2601 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 1609, effective January 19, 1990; emergency amendment at 14 Ill. Reg. _____, effective March 30, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 694.20 Definitions

"Act" means "AN ACT concerning education and amending an Act herein named" (Ill. Rev. Stat. 1988 Supp., ch. 144, par. 2601 et seq.).

"Certificate of immunity" means a form acceptable to a post-secondary educational institution signed by a health care provider who has administered an immunizing agent to a student (or has reviewed health

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records evidencing such administration), specifying the vaccine administered and the date of administration.

"DEPARTMENT" MEANS THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH. (Section 1(a) of the Act)

"Designated record keeping office" means the office designated by a post-secondary educational institution as responsible for maintaining student immunization records. In institutions with health services, that office shall be the designated office of record.

"Enroll" means the student is a bona fide member of the post-secondary educational institution's student body receiving academic credit for on-campus instruction.

"Health care provider" means a physician licensed to practice medicine in all of its branches (M.D. or D.O.), local health authority, registered nurse employed by a school, college or university or a Department recognized vaccine provider.

"POST-SECONDARY EDUCATIONAL INSTITUTION" MEANS A PUBLIC OR PRIVATE COLLEGE OR UNIVERSITY OFFERING DEGREES AND INSTRUCTION ABOVE THE HIGH SCHOOL LEVEL, AND SHALL INCLUDE, BUT NOT BE LIMITED TO,

ANY AND ALL PRIVATE COLLEGES AND UNIVERSITIES; THE UNIVERSITY OF ILLINOIS; SOUTHERN ILLINOIS UNIVERSITY; THE SEVERAL UNIVERSITIES AND COLLEGES UNDER THE GOVERNANCE OF THE BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES; THE SEVERAL REGENCY UNIVERSITIES AND COLLEGES UNDER THE GOVERNANCE OF THE BOARD OF REGENTS; AND ANY OTHER PUBLIC UNIVERSITY NOW OR HEREFTER ESTABLISHED OR AUTHORIZED BY THE GENERAL ASSEMBLY.

THE TERM SHALL NOT INCLUDE ANY PUBLIC OR PRIVATE JUNIOR OR COMMUNITY COLLEGE (e.g. any public or private degree-granting institution at which the highest degree offered is an associate of arts degree or an undergraduate certificate of two years or less), and institution organized or licensed under the Private Business and Vocational Schools Act (111. Rev. Stat. 1987, ch. 144, par. 136 et seq.) or "AN ACT providing for the regulation of privately-operated colleges, junior colleges and universities" (111. Rev. Stat. 1987, ch. 144, par. 121 et seq.), or Public Community College Act (111. Rev. Stat. 1987, ch. 122, par. 101-1 et seq.), or the Barber, Cosmetology and Esthetics Act of 1985 (111. Rev. Stat. 1987, ch. 111, par. 1701-1 et seq.), OR ANY INSTITUTION OFFERING DEGREES AND INSTRUCTION WHICH UTILIZES CORRESPONDENCE AS ITS PRIMARY MODE OF STUDENT INSTRUCTION.

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(Section 1(b) of the Act)

"Proof of immunity" means evidence of appropriate immunization, physician diagnosed disease, or laboratory evidence of immunization documented in writing by a health care provider in accordance with the requirements of this Part. The content of the immunization record form utilized by an institution shall include, as a minimum, the basic elements listed in Appendix C and in an outline form similar to that as prescribed on the Certificate of Immunity Form. (See Appendix A.)

"Student health record" means a record containing the immunization status of a student relating to the vaccine-preventable diseases covered by this Part. The content of the immunization record form utilized by an institution shall include, as a minimum, the basic elements listed in Appendix C and in an outline form similar to that as prescribed on the Certificate of Immunity Form. (See Appendix A.)

"Summary report" means a form developed by the Department for gathering statistical information on the number of students enrolled at a post-secondary educational institution, the number with proof of immunity, the number with medical or religious exemptions, and the number otherwise without proof of immunity.

"Term" means any period of on campus instruction offered by a post-secondary educational institution. Students enrolling for the first time during a special term of less than the traditional duration (Summer Session, Interim, Intersession, etc.) may be permitted to enroll in an immediate following term of traditional length before providing proof of immunity in accordance with this Part.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

SUBPART B: IMMUNIZATION REQUIREMENTS

Section 694.100 Proof of Immunity

a) Beginning with the Fall term, students who enroll at a post-secondary educational institution shall present to the designated record keeping office proof of immunity evidencing the following immunizations:

1) Diphtheria, Tetanus

A) Any combination of three or more doses of Diphtheria, Tetanus, and Pertussis (DTP), Diphtheria and Tetanus (DT) or Tetanus and Diphtheria (Td) vaccine, with the most

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recent dose having been received within 10 years prior to enrollment.

- B) The minimum time interval between the first and second dose must have been at least four weeks, with the third dose having been received at least six months after the second or last dose of the basic series.
- C) Receipt of Tetanus Toxoid (T.T.) vaccine is not acceptable in fulfilling this requirement.

2) Measles

A) Documentation of receipt of two doses of live measles virus vaccine on or after the first birthday. The minimum time interval between each dose must have been at least 30 days. If either dose was received prior to 1968, proof must be provided that a live virus vaccine, without gamma globulin, was administered.

B) Those students attending a post-secondary educational institution prior to the Fall 1990 term, who have had at least one dose of live measles virus vaccine at one year of age or older, may be considered immune. If a student transfers to another post-secondary educational institution beginning with the Fall 1990 term, documentation of 2 doses of live measles virus vaccine shall be required.

A) ~~Immunization with live measles virus vaccine on or after the first birthday. If vaccine was received prior to 1968, proof must be provided that a live virus vaccine, without gamma globulin, was administered.~~

CB) Laboratory (serologic) evidence of measles immunity; or

DC) A physician's signed confirmation of disease history and date of conclusive diagnosis.

3) Rubella

A) Immunization with rubella vaccine on or after the first birthday; or

B) Laboratory (serologic) evidence of rubella immunity.

C) History of disease is not acceptable as proof of immunity.

4) Mumps

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A) Immunization with live mumps vaccine on or after the first birthday; or

B) A physician's signed confirmation of disease history and date of conclusive diagnosis.

C) Laboratory (serologic) evidence of mumps is not acceptable as proof of immunity.

b) Proof of immunity may be provided by a certificate of immunity containing the following information:

1) The month, day and year of vaccine receipt for measles, mumps, and rubella. Whole year dates (e.g., 1969) are acceptable only when it is clear that the student was at least twelve months of age when the vaccine was received.

2) The month, day and year of vaccine receipt for diphtheria and tetanus.

c) Proof of immunity may also be provided by one of the following:

1) A copy of the student's Illinois high school health record which complies with the immunization requirements of this Part;

2) In lieu of proof of immunity as defined in this Part, evidence of birth on or before January 1, 1957 such as a birth certificate, drivers license, or personal identification card issued by the Secretary of State.

d) Additional immunization entries made in a student health record by a post-secondary educational institution shall be based upon a certificate of immunity which complies with the requirements of this Part.

e) A student who enrolls at a post-secondary educational institution without providing proof of immunity shall be precluded from enrolling at that institution in a subsequent term unless the student provides proof of immunity acceptable to the designated record keeping office or is granted a medical or religious exemption by the institution.

f) Students shall provide proof of immunity each time they transfer to another post-secondary educational institution.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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Appendix A Certificate of Immunity Form

Certificate of Immunization

Part I - To be completed by student			Middle Initial		Student Identification Number	
Last Name (Please Print)	First					
Date of Birth (Mo/Day/Yr)	Home Telephone Number ()	Term Attending (Check One) Fall <input type="checkbox"/> Winter <input type="checkbox"/> Spring/Summer <input type="checkbox"/>	Year			
Part II - Compliance by Copy of Certificate of Child Health Examination. Attached (Check box) <input type="checkbox"/> to release into immunization records to the Illinois Department of Public Health, or its designated representative, <input type="checkbox"/> for confidential use and in the event of a health or safety emergency. Student's Signature _____ Date _____						
Part III - To be completed and signed by health care provider*. ALL DATES MUST INCLUDE MONTH, DAY AND YEAR						
1. Primary care physician (Must include at least two dates - month, day and year)		<input type="checkbox"/>	Date	Month	Day	Year
2. Most recent doctor (Must be within last 10 yrs) <input type="checkbox"/>		<input type="checkbox"/>	Date	Month	Day	Year
3. Exempt(s)		<input type="checkbox"/>	Attach physician's statement of contraindications			
Medicine (2 boxes) 1. Disease confirmed by physician's records? 2. Immunizations with live virus vaccine? 3. Immunizations with live virus vaccine? 4. Exempt(s) (Circle in 1968 or later) 5. Exempt(s) (German measles)		Yes <input type="checkbox"/>	Date of Illness _____ Date of Test _____ Date _____ Attach physician's statement of contraindications _____			
Vaccines 1. Immunized confirmed by blood test? 2. Immunizations with live virus vaccine? 3. Exempt(s)		<input type="checkbox"/>	Date of Illness _____ Date of Test _____ Date _____ Attach physician's statement of contraindications _____			
Antibody 1. Immunized confirmed by physician's report? 2. Immunizations with live virus vaccine? 3. Exempt(s)		<input type="checkbox"/>	Date of Illness _____ Date of Test _____ Date _____ Attach physician's statement of contraindications _____			
Measles 1. Immunized confirmed by physician's report? 2. Immunizations with live virus vaccine? 3. Exempt(s)		<input type="checkbox"/>	Date of Illness _____ Date of Test _____ Date _____ Attach physician's statement of contraindications _____			

Health Care Provider or official of the designated
residential long-term care facility verifying above information

Name (Print) _____

Physician licensed to practice medicine in all of its branches (M.D. or D.O.), a local health authority, registered nurse employed by a school, college or university, or a designated recognized vaccination provider.

For Office Use Only

[illegible]

*Physician licensed to practice medicine in all of its branches (M.D. or D.O.), a local health authority, registered nurse employed by a school, police officer, or a Department recognized venous provider.

(Source: Amended at 14 I11. Reg. _____, effective _____)

1) Heading of the Part:

Drinking Water Systems Code

2) Code Citation:

77 Ill. Adm. Code 900

3) Section Numbers:

900.10

900.40

900.50

900.60

900.65

900.70

900.80

Table D

Proposed Action:

Amendment

Amendment

Amendment

Amendment

Amendment

Amendment

Addition

4) Statutory Authority:

Illinois Groundwater Protection Act

Ill. Rev. Stat. 1987, ch. 111 1/2, par. 7459 et seq.

5) A Complete Description of the Subjects and Issues Involved:

Section 900.10. The definition of vending machine is added. In accordance with the Drinking Water Systems Code, devices such as vending machines which sell or treat water are subject to the requirements of the Code. Therefore, it is necessary to define vending machine in order for the public to more clearly understand what we are regulating.

Section 900.40(e). The amendment requires that all non-community public water supplies which use and treat surface water must be operated by an individual which has completed training approved by the Department. This requirement is mandated by U.S.E.P.A. in accordance with 40 CFR 141 and 142, 54 Fed. Reg. 27486 through 27541, June 29, 1989.

Section 900.40(n)(2). The amendment requires that all non-community public water supplies which use and treat surface water must increase the disinfectant level in designated parts of the system. This requirement is mandated by U.S.E.P.A. in accordance with 40 CFR 141 and 142, 54 Fed. Reg. 27486 through 27541, June 29, 1989.

Section 900.40(n)(3). The amendment requires that all non-community public water supplies which use and treat surface water must check and record the water disinfectant daily. This requirement is mandated by U.S.E.P.A. in accordance with 40 CFR 141 and 142, 54 Fed. Reg. 27486 through 27541, June 29, 1989.

Section 900.40(p). The amendment establishes operation requirements for water vending machines. The Drinking Water Systems Code requires that any water supply which treats or sells water to the public is subject to the requirements of the Code. Vending machines therefore would meet this criteria. Since vending machines are subject to the Code, additional requirements for the operation of these machines must be established since none had previously been included in the rules. The amendment simply indicates how the machine must be installed and operated and sampled in order to assure a safe supply of water.

Section 900.50. The amendment establishes maximum contaminant levels and monitoring requirements for inorganic chemicals. These amendments have been mandated by U.S.E.P.A. in accordance with 40 CFR 141, 142 and 143, 54 Fed. Reg. 22062 through 22160, May 22, 1989.

Section 900.60 (b). This amendment requires non-community public water supplies which use surface water to monitor for turbidity on a daily basis. This requirement is mandated by U.S.E.P.A. in accordance with 40 CFR 141 and 142, 54 Fed. Reg., 27486 and through 27541, June 29, 1989.

Section 900.60 (b) (2). The amendment will require all non-community public water systems which use surface water as a source to provide a minimum of .2 p.p.m. of chlorine in all parts of the distribution system. U.S.E.P.A. is requiring this in order to provide more disinfection capability in the system. This requirement is mandated in accordance with 40 CFR 141, 54 Fed. Reg., 27486 through 27541, June 29, 1989.

Section 900.65. The amendment establishes maximum contaminant levels and monitoring requirements for organic chemicals which were not previously regulated by the Department. This requirement is mandated by the U.S.E.P.A. in accordance with 40 CFR 141, 54 Fed. Reg., 27486 through 27541, June 29, 1989.

Section 900.70. The amendment requires non-community public water supplies to sample for coliform bacteria at the same frequency as community public water supplies when more than 1,000 persons are served by the supply in a month. In addition, when coliform bacteria is found in any sample, four check samples would be required. This requirement is mandated by U.S.E.P.A. in accordance with 40 CFR 141 and 142, 54 Fed. Reg., 27544 through 27568, June 29, 1989.

Section 900.80. The amendment deletes the reference to a specific Federal Register. This reference is no longer needed since our rules have adopted the current federal rules which include the rules which have been published in the Federal Register.

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TABLE D. All non-community public water supplies which serve more than 1,000 people in a month must perform coliform monitoring in accordance with the frequency in this table. This sample frequency has been mandated by U.S.E.P.A. in accordance with 40 CFR 141 and 142, 54 Fed. Reg., 27544 through 27568, June 29, 1989.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes ☐ No ☒

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes ☐ No ☒

If "yes," please specify the date: _____

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes ☒ No ☐

If "yes," please specify type: 6.02(a) ☐ or 6.02(b) ☐

9) Are there any other Proposed Amendments Pending on this Part?

Yes ☐ No ☒

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
-----------------	-----------------	--------------------

10) Statement of Statewide Policy Objectives:

The U.S.E.P.A. will require non-transient, non-community public water supplies to monitor for 38 additional contaminants. The Department must adopt U.S.E.P.A. rules in order to perform the Federal Safe Drinking Water Program in Illinois and receive its share of the federal grant. The Department must assure these supplies monitor for these contaminants and that the Department's laboratory has the capability to perform these required analyses.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

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These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

March 30, 1990

B) Type of Small Businesses Affected:

Businesses employing their own water supply and serving water to 25 or more persons per day.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

Water systems using surface water as a source are required to keep daily records of turbidity and disinfectant levels.

D) Types of Professional Skills Necessary for Compliance:

None.

The full text of the Proposed Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER r: WATER AND SEWAGE

PART 900

DRINKING WATER SYSTEMS CODE

Section

Definitions

900.10 Incorporated Materials

900.15 General Requirements

900.20 Special Requirements

900.30 Water System Design

900.40 Inorganic Chemicals

900.50 Turbidity

900.60 Organic Chemicals

900.65 Microbiological

900.70 Public Notification

900.80 Record Maintenance and Reporting

900.90 Variances and Exemptions

900.100 Sources of Pollution in Location to Wells and/or Finished Water

TABLE A

Storage Facilities

TABLE B Design Capacity for a Non/Community Public Water System

TABLE C Pressure Factors

TABLE D Coliform Sampling Frequency According to Population Served

AUTHORITY: Implementing and authorized by Section 9 of the Illinois Groundwater Protection Act, (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 7459) and Sections 2 and 7 of "AN ACT in relation to Public Health." (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 22 and 24).

SOURCE: Adopted at 6 Ill. Reg. 2215, effective February 3, 1982; old rules repealed, new rules adopted and codified at 8 Ill. Reg. 3301, effective March 2, 1984; amended at 9 Ill. Reg. 9139, effective June 3, 1985; amended at 13 Ill. Reg. 12578, effective August 1, 1989, amended at 14 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 900.10

Definitions

"Applicant" means any person making application for a permit to construct or alter a public water system.

"Cistern" means a source of water supply developed by intercepting rainfall with roof surfaces.

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"Contaminant" means any physical, chemical, biological or radiological substance or matter in water.

"Department" means the Illinois Department of Public Health.

"Maximum Contaminant Level" means the maximum permissible level of contaminant in water which is delivered to the free flowing outlet of the ultimate user of a public water system, except in the case of turbidity, where the maximum permissible level is measured at the point of entry to the distribution system. Contaminants added to the water under circumstances controlled by the user are excluded from this definition.

"Non-Transient Non-Community System" means a non-community water system which regularly serves the same 25 or more persons at least 6 months a year.

"Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, county, municipality, the State of Illinois or any political subdivision or department thereof, or any other entity.

"POTENTIAL PRIMARY SOURCE" MEANS ANY UNIT AT A FACILITY OR SITE NOT CURRENTLY SUBJECT TO A REMOVAL OR REMEDIAL ACTION WHICH:

IS UTILIZED FOR THE TREATMENT, STORAGE, OR DISPOSAL OF ANY HAZARDOUS OR SPECIAL WASTE NOT GENERATED AT THE SITE; OR

IS UTILIZED FOR THE DISPOSAL OF MUNICIPAL WASTE NOT GENERATED AT THE SITE, OTHER THAN LANDSCAPE WASTE AND CONSTRUCTION AND DEMOLITION DEBRIS; OR

IS UTILIZED FOR THE LANDFILLING, LAND TREATING, SURFACE IMPOUNDING OR PILING OF ANY HAZARDOUS OR SPECIAL WASTE THAT IS GENERATED ON THE SITE OR AT OTHER SITES OWNED, CONTROLLED OR OPERATED BY THE SAME PERSON; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 75,000 POUNDS ABOVE GROUND, OR MORE THAN 7,500 POUNDS BELOW GROUND, OF ANY HAZARDOUS SUBSTANCES.

(Section 3.59 of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1003.59)

"POTENTIAL ROUTE" MEANS ABANDONED AND IMPROPERLY PLUGGED WELLS OF ALL KINDS, DRAINAGE WELLS, ALL INJECTION WELLS, INCLUDING CLOSED LOOP HEAT PUMP WELLS, AND ANY EXCAVATION FOR THE DISCOVERY, DEVELOPMENT OR PRODUCTION OF STONE, SAND OR GRAVEL. (Section 3.58 of the

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Environmental Protection Act, Ill. Rev. Stat., ch. 111 1/2, par. 1003.58).

"POTENTIAL SECONDARY SOURCE" MEANS ANY UNIT AT A FACILITY OR A SITE NOT CURRENTLY SUBJECT TO A REMOVAL OR REMEDIAL ACTION, OTHER THAN A POTENTIAL PRIMARY SOURCE, WHICH:

IS UTILIZED FOR THE LANDFILLING, LAND TREATING, OR SURFACE IMPOUNDING OF WASTE THAT IS GENERATED ON THE SITE OR AT OTHER SITES OWNED, CONTROLLED OR OPERATED BY THE SAME PERSON, OTHER THAN LIVESTOCK AND LANDSCAPE WASTE, AND CONSTRUCTION AND DEMOLITION DEBRIS;

OR STORES OR ACCUMULATES AT ANY TIME MORE THAN 25,000 BUT NOT MORE THAN 75,000 POUNDS ABOVE GROUND, OR MORE THAN 2,500 BUT NOT MORE THAN 7,500 POUNDS BELOW GROUND, OF ANY HAZARDOUS SUBSTANCES; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 25,000 GALLONS ABOVE GROUND, OR MORE THAN 500 GALLONS BELOW GROUND, OF PETROLEUM, INCLUDING CRUDE OIL OR ANY FRACTION THEREOF WHICH IS NOT OTHERWISE SPECIFICALLY LISTED OR DESIGNATED AS A HAZARDOUS SUBSTANCE; OR

STORES OR ACCUMULATES PESTICIDES, FERTILIZERS, OR ROAD OILS FOR PURPOSES OF COMMERCIAL APPLICATION OR FOR DISTRIBUTION TO RETAIL SALES OUTLETS; OR STORES OR ACCUMULATES AT ANY TIME MORE THAN 50,000 POUNDS OF ANY DE-ICING AGENT; OR

IS UTILIZED FOR HANDLING LIVESTOCK WASTE OR FOR TREATING DOMESTIC WASTEWATERS OTHER THAN PRIVATE SEWAGE DISPOSAL SYSTEMS AS DEFINED IN THE "PRIVATE SEWAGE DISPOSAL LICENSING ACT" (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 116.301).

(Section 3.60 of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1003.60)

"Public Water System" means a system for the provision to the public of piped water for human consumption, if the system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. The term Public Water System includes any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

Community Water System means a public water system which serves

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at least 15 service connections used by residents or regularly serves at least 25 residents for at least 60 days a year.

Non-Community Water System means a public water system that is not a community water system, that has at least 15 service connections used by non-residents, or regularly serves 25 or more non-resident individuals daily for at least 60 days a year and shall include vending machines.

"Sanitary Survey" means an on-site inspection of the water source, facilities, equipment, operation, and maintenance of a public water system for the purpose of evaluating their adequacy for producing and distributing safe drinking water.

"State" means the State of Illinois, Illinois Department of Public Health or the Illinois Environmental Protection Agency, as appropriate.

"Supplier of Water" means any person who owns or operates a public water system.

"Vending Machine" means a device which provides treatment and/or dispenses a specific amount of water after money has been inserted into the device or after the water has been purchased.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 900.40 Water System Design

a) Siting Requirements. Construction, alteration or expansion of a public water system shall be accomplished so as to:

- 1) Avoid locating any or all of the facility at a site which is subject to undue risk from earthquakes, floods, or other disasters.
- 2) Except for the intake structures, avoid locating any or all of the facility within the floodplain of a 100-year flood.
- 3) Sources of pollution shall be located no closer to wells and finished water storage facilities than indicated in Table A. Beginning January 1, 1988, no new non-community water system well may be located within 200 feet of any potential primary or potential secondary source or any potential route, unless specifically allowed in Table A. Where the owner of a potable well is the same owner of a potential primary source, potential secondary source, or a potential route, the Department may allow a variance to the minimum separation distances required in this

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part provided the owner complies with the variance provisions of Section 920.30(c) of the Illinois Water Well Construction Code.

- b) Existing Water System. The sanitary quality of an existing water system shall be determined by a survey of facilities and laboratory analyses of water samples. Defects in facilities or contamination shown present by laboratory analyses, shall be considered sufficient grounds for requiring repairs, chlorination or other treatment, or termination of the use of the system. All repairs, modifications, and alterations to existing wells and pump equipment shall be in accordance with the Illinois Water Well Construction Code (77 Ill. Adm. Code 920) and the Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925). Treatment will not be considered as a substitute for location and construction in accordance with the Illinois Water Well Construction Code.
- c) New Well Construction. All new wells shall be constructed in accordance with the Illinois Water Well Construction Code.
- d) New Pumping Equipment. All new well pumps shall be installed in conformance with the Illinois Water Well Pump Installation Code.
- e) Surface Water. Gravity filtration and disinfection shall be provided as the minimum treatment facilities for all supplies obtained from ponds, lakes, streams, rivers, and other surface collectors of water. Surface water supply treatment facilities shall be designed, constructed, operated, and maintained as described in the Surface Source Water Treatment Code, (77 Ill. Adm. Code 930) or in accordance with "Recommended Standards for Water Works - Great Lakes Upper Mississippi River Board of State Sanitary Engineers" ("Ten States' Standards"). Where average turbidity, based upon 30 daily samples, of the source exceeds 50 nephelometric turbidity units, complete treatment must be provided in accordance with "Ten States' Standards." All systems which use surface water, in whole or in part shall be operated by personnel which have taken a water treatment course approved by the Department, and have received a certificate or other evidence that the course has been completed satisfactorily, or shall be operated by personnel which have received certification by the Illinois Environmental Protection Agency as a Class I, Class II, or Class III public water supply operator. The Department will approve such course provided the course is given by an accredited college or university, the course is at least equivalent to 1.4 continuing education units, and the course addresses water filtration, disinfection, water supply and the measurement of disinfectant residual and turbidity. The Department shall make available a list of such approved courses upon request.
- f) Springs. Spring water supplies shall not be allowed except where it

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is impossible to develop a well which meets the water quality and capacity standards of this Part. Where springs are used for potable water, they shall be protected from entry of surface water, shall be housed in a permanent structure, and shall be chlorinated in accordance with Section 900.40 (n). Spring water supplies located in an area with sink-holes or outcropping rock, with a history of periodic discolored discharge, or subject to fecal contamination, as demonstrated by laboratory analysis, shall not be approved unless provided with treatment consistent with that required for surface water.

- g) Cisterns. Cisterns shall not be used for public water supply except where groundwater resources will not produce the quantity of water needed for the population to be served. Cistern water shall receive treatment consistent with that required for surface water (See Section 900.40 (e)).
- h) Design Capacity. The design capacity for a non-community public water system shall be determined based on the estimated peak demand or the average daily consumption rate obtained from Table B.
- i) Hydropneumatic Storage. The minimum requirements for designing a hydropneumatic storage system are as follows:
 - 1) Well and Pump Sizing. The capacity of the well(s) and pump(s) in a hydropneumatic system shall be at least eight times the average daily consumption rate or shall be sufficient to meet the estimated peak demand, whichever is greater. (calculate the average daily consumption rate from Table B). If it can be shown that a specified amount of water is more appropriate or if the Department can be shown that the storage requirements are excessive, the Department will permit other sizing alternatives dependent upon such things as, but not limited to, water demand at the facility in question or water usage reports from a similar facility.
 - 2) Pressure Tank Sizing. The minimum capacity of the pressure storage tank shall be calculated by the following formula:
$$Q = Q_m (3)/Pf$$
Where Q_m = Pump capacity (g.p.m.)
$$Pf$$
 = Pressure Factors obtained from TABLE C.
 - 3) Precharged Pressure Tanks. The capacity of a precharge pressure storage tank shall be calculated by the following formula:

$$Q_p = 1.5Q_m/P_f$$

Where Q_p = Precharged pressure tank volume, gal.

- 4) Existing Hydronic Storage. An existing undersized pressure storage system may be allowed provided a history of adequate water supply exists. Major alterations shall comply with all requirements of Section 900.40(i).
- j) Storage Reservoir. All nonpressure underground reservoirs shall be constructed of permanently watertight material and shall be provided with a watertight insect proof cover. Examples of permanently watertight materials are steel, plastic, concrete or fiberglass. On new water system installations, all nonpressure storage reservoirs in or on the ground shall be located in such a manner that surface water will flow away from the structure. When the bottom of any such reservoir is located below the ground surface, the reservoir shall be located with respect to sources of pollution as outlined in Table A. Where manholes are necessary, they shall have a raised curb and be provided with a cover of the overhanging type. Vents and openings shall be insect-proof and shall be installed so there is no hazard to the sanitary quality of the water supply. Piping shall enter the reservoir through the top of underground tanks or through the exposed vertical extension of the manhole opening. Points of entry must be sealed in a watertight manner. No suction lines may enter the reservoir underground unless protected by an external pipe enclosure maintained at system pressure.
- k) Water Distribution Lines. The system shall be designed to maintain a minimum positive pressure of 20 p.s.i. in all parts of the system at all times. Water pipe shall conform to applicable specifications and standards of the Illinois State Plumbing Code (77 Ill. Adm. Code 890) for the type of pipe to be used. The following shall govern the separation of water lines from possible sources of pollution:
 - 1) Whenever possible, a water line shall be laid at least 10 feet horizontally from any existing or proposed sewer line.
 - 2) Whenever water lines must cross sewers, the water line shall be laid at such an elevation that the bottom of the water line is 18 inches above the top of the sewer. This vertical separation shall be maintained for that portion of the water line located within 10 feet horizontally of any sewer or drain it crosses, said 10 feet to be measured as the normal distance from the water line to the drain or sewer. The sewer shall be constructed of cast iron pipe, type K copper, or Drain, Waste and Vent (DWV) plastic pipe (Schedule 40) with water-tight joints for a distance of 10 feet from each side of the water line. All crossings shall be made at right angles.

- 3) Where conditions prevent the minimum horizontal and/or vertical separation specified above, special consultation shall be obtained from the Department to determine other routes of water piping.
- 4) No water line shall pass through, or come into contact with, any part of a sewer manhole.
- 5) There shall be no physical connection between a community water system and a non-community or private water system, unless the non-community or private water system conforms to community water system requirements, as specified by the Illinois Pollution Control Board's Public Water Supplies (35 Ill. Adm. Code 607.104).
- 6) Lines for potable water shall be laid at least 25 feet horizontally from any underground sewage seepage field.
- 1) Plumbing-Fixture Backflow Protection. The water supply lines shall have no physical connection with nonpotable water supplies. All plumbing shall be in accord with the Illinois State Plumbing Code available from this Department. All plumbing fixtures and other equipment connected to the water system shall be so constructed and installed so as to safeguard the water system from the possibility of contamination through cross-connections or back-siphonage. Laundry units and equipment shall be so constructed and installed so as to prevent the contamination of the contents by the backflow of sewage. When required by the Illinois State Plumbing Code (77 Ill. Adm. Code 890), the fixture or appliance shall be connected indirectly with the drainage system by means of an open, funnel-type fitting with a suitable air gap.
- m) Drinking Fountains. All outlets established for the provision of drinking water shall consist of drinking fountains in accordance with requirements contained in the Illinois State Plumbing Code, or a supply of single service drinking cups shall be provided. Common drinking cups are prohibited.
- n) Disinfection. Disinfection may be accomplished with calcium or sodium hypochlorites or gas chlorine. Other disinfecting agents will be considered, providing reliable application equipment is available, and testing procedures for residual are recognized in "Standard Methods for the Examination of Water and Wastewater". Proposals for use of disinfecting agents must be approved by the Department prior to preparation of final plans and specifications. Approval will be given only when the information shows that the chemical to be used as a disinfecting agent will not jeopardize the health of the user and that the chemical will eliminate bacteria from the water supply.

Disinfection is required at all surface, spring, and cistern water supplies; and at any groundwater supplies which are of questionable sanitary quality or where any treatment which exposes the water to the atmosphere is provided. Disinfection shall not be a substitute for proper well location and construction.

- 1) Chlorination Equipment. The chlorinator shall be designed to provide a free chlorine residual of at least two milligrams per liter in the water after contact time of at least 30 minutes at maximum flow rates. The equipment shall be of such design that it will operate accurately over the desired feeding range. Where flow is uniform, actuation of a constant volume feeder by the pump circuit is required. Where flow is variable, automatic flow proportioning is required.

- 2) Contact Time and Point of Application. Chlorine shall be applied at a point which will provide the maximum contact time. At facilities treating surface water, chlorine shall be applied to the water after filtration. At facilities chlorinating groundwater, provisions should be made for applying chlorine to the detention basin inlet. Where chlorination is required, minimum free chlorine residual at distant points in a water distribution system shall be at least 0.1 milligram per liter except that systems utilizing surface water as a source, shall have a minimum free chlorine residual of 0.2 mg/l maintained at all distant points in the distribution system and a minimum free chlorine residual of 0.4 mg/l shall be maintained in the water storage tank. The point of application and withdrawal shall be no more than 3 inches below the water surface of the storage tank. Water shall be withdrawn from inside a solid pipe which extends at least 3 inches above the highest point of the water level to a point not more than 3 inches above the bottom of the water storage tank. Those systems utilizing surface water as a source which are not designed in accordance with the Surface Water Treatment Code (77 Ill. Adm. Cod 930), shall meet disinfection requirements of 40 CFR 141 and 142, 54 Fed. Reg. 27486 through 27541, June 29, 1989.
- 3) Testing Equipment. Chlorine residual test equipment capable of measuring free chlorine residual shall be provided and should be capable of measuring residuals to the nearest 0.1 mg/l in the range below 0.5 mg/l, to the nearest 0.3 mg/l between 0.5 and 1.0 mg/l, and to the nearest 0.5 mg/l between 1.0 mg/l and 2.0 mg/l. Systems utilizing surface water as a source shall test the chlorine residual in the distribution system daily and keep a record of the results.

- 4) Hypochlorinator. Positive displacement pumps shall be provided

to inject hypochlorite solution. The pump shall be of variable flow type and shall be of sufficient capacity to feed the required amount of disinfectant. If calcium hypochlorite is used, the concentration of calcium hypochlorite in the solution shall not exceed 5 percent. The solution container shall have a minimum capacity equal to the volume of solution required per day. The hypochlorinator shall be interlocked with the pump so that both will start and stop together.

- 5) Gas Chlorinators.

- A) The chlorine supply and gas feeding equipment shall be in a separate, air-tight room. The room shall be provided with an exhaust system which takes its suction not more than 8 inches from the floor and discharges out-of-doors in a direction to minimize exposure to toxic fumes. The fan shall be capable of producing one air change per minute. Means for introducing a fresh air supply to the enclosure shall be provided through appropriate openings, such as filters, grill openings, etc., at a high point opposite the exhaust fan intake. The room shall have a window at least 18 inches square and artificial illumination so that the chlorinator equipment is visible from the operating area outside the room. Electrical switches for lighting and ventilation shall be outside the room and adjacent to the door. Scales for weighing chlorine cylinders in service shall be provided and should have the platform at floor level.

- B) All chlorine cylinders, both full and empty, shall be anchored to prevent their falling over.

- C) The chlorine feeding device shall be designed so that during interruptions of the flow of the water supply, gas feed is automatically terminated. Chlorinator vent lines shall terminate out-of-doors.

- D) The gas feed equipment shall be solution feed type capable of delivering chlorine at its maximum rate without releasing chlorine gas to the atmosphere.

- E) The water supply for the gas feeding equipment shall produce the flow rate and pressure required according to the manufacturer's specifications for proper operation of the equipment. The release of chlorine shall be automatically terminated when the pump is shut off. The water supply line to the chlorine injector shall be equipped with an electric shut-off valve interlocked with

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the pump and shall be equipped with a suitable backflow preventer.

- F) A self-contained breathing apparatus designed for use in a chlorine atmosphere shall be provided. A record shall be kept of the breathing apparatus usage to insure that it will be serviceable when needed and it shall be kept in a closed cabinet, accessible without a key, located outside of the room in which the chlorinator is located, and preferably outside the entrance to the equipment room. Gas chlorinators shall be repaired and operated only in accordance with manufacturer's directions. The owner/operator shall determine the appropriate emergency personnel to contact in the event of a chlorine gas emergency, and have the telephone number of emergency personnel conspicuously posted within view of operating personnel.

- 6) General. The chlorinator water supply piping shall be designed to prevent contamination of the treated water supply by sources of questionable water which may be contaminated. Housing must be provided for the chlorination equipment and for storing the chlorine.

- o) Hauled Water. When it is necessary to use hauled water as a source of public supply, the water shall be obtained only from a regulated public water system.

- 1) Transport Equipment. Equipment used for hauling water, including tank trucks or trailers, hoses, etc., shall be used only for handling potable water. In an emergency, equipment used for handling other potable materials, such as milk, syrup, etc., may be used after cleaning and disinfection with not less than 100 ppm of free chlorine.

- 2) Storage Facilities. Equipment used for the storage of hauled water shall be used only for that purpose and shall be constructed in accordance with Section 900.40(k).

- p) Vending Machines. Vending machines which serve water to the public shall meet the following conditions:

- 1) The source of water to a vending machine shall be obtained from a community water system or a supply which meets the construction and location requirements of this Part.
- 2) A dual check backflow device approved in accordance with the Illinois Plumbing Code (77 Ill. Adm. Code 890) shall be installed in the water supply pipe between the vending machine and the source of water.

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- 3) An air gap shall be provided between the water dispensing spout and the water container which is at least equal to 4 times the diameter of the water dispensing supply pipe.

- 4) The machine shall be kept in an area which is free of dirt and debris and the area shall be maintained to prevent insect and rodent harborage.

- 5) Any overflow or discharge of water from the venting machine shall be indirectly connected to a sewer or to waste in accordance with the Illinois Plumbing Code.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 900.50 Inorganic Chemicals

a) Maximum Contaminant Levels.

- 1) Nitrate. The maximum contaminant levels for Nitrate in a non-community public water system shall not exceed 10 mg/l (as nitrogen (N)). Nitrate levels not to exceed 20 mg/l as N may be allowed in a non-community water system if the supplier of water demonstrates that:

- A) Such water will not be available to children under 6 months of age.
- B) There will be continuous posting of the fact that nitrate levels exceed 10 mg/l as N and the potential health effects of exposure.

- 2) Nitrite. The maximum contaminant level for nitrite in a non-community public water supply shall not exceed 1 mg/l as N.

- 3) The maximum contaminant levels for the following inorganic chemicals shall not be exceeded in a non-transient, non-community public water system:

Chemical	Maximum Contaminant
A) Asbestos	7 million fibers/liter
B) Barium	5 mg/l
C) Cadmium	0.005 mg/l
D) Chromium	0.1 mg/l
E) Mercury	0.002 mg/l
F) Selenium	0.05 mg/l

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b) Monitoring.

1) Nitrate and Nitrite

A) Nitrate and Nitrite (Except non-transient, non-community). Analysis for nitrate and nitrite shall be conducted annually on all non-community public water systems which use surface water as a source, and once every three years on all other non-community public water systems, except non-transient, non-community public water systems. The Department shall send out sample bottles to all water suppliers and require that the suppliers collect the sample and return it to the designated Department laboratory.

B) Nitrate and Nitrite (Non-transient, non-community). Analysis for nitrate and nitrite shall be conducted annually on all non-transient, non-community public water systems, except that such analysis must be conducted quarterly when the concentration of either chemical is equal to or greater than 50 percent of the maximum contaminant level in any one sample for either chemical. In such cases, the sampling frequency must remain quarterly until four consecutive quarterly samples are less than 50 percent of the maximum contaminant level for either chemical.

2) Non-transient, non-community public water systems shall monitor for barium, cadmium, chromium, mercury and selenium once every three years where the system uses groundwater as a source and annually where the system uses surface water, in whole or in part as a source. The monitoring requirements for a system using groundwater or surface water as a source shall be reduced to once every ten years provided:

A) Systems using surface water have been monitored annually for at least three years and systems using groundwater as a source have conducted at least three rounds of monitoring and,

B) All results are less than 50 percent of the maximum contaminant levels for these inorganic chemicals.

3) Asbestos

Non-transient, non-community public water systems are not required to monitor for asbestos unless the Department determines the system is vulnerable to asbestos contamination in

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its source water or due to corrosion of asbestos pipe, or both. The Department shall consider the system vulnerable to asbestos contamination where any of the following are met:

- A) A source of asbestos material exists in the water source,
- B) Asbestos pipe is used in the water distribution system.

If the system is determined to be vulnerable to asbestos contamination, the system shall monitor for asbestos. If the initial sample result is greater than or equal to 50 percent of the maximum contaminant level for asbestos, the system must monitor once every three years if the water source is groundwater and annually if the water source is surface water in whole or in part. If the initial sample result is less than 50 percent of the maximum contaminant level for asbestos, the system is not required to monitor unless the Department has determined that asbestos has been introduced into the source of the supply. This shall be determined by a survey of the surrounding site of the water source.

c) Maximum Contaminant Level Exceeded.

- 1) Nitrate and nitrite. If the result of an analysis for nitrate or nitrite in a non-community public water system exceeds the maximum contaminant level, the taking of a second sample shall be initiated within 24 hours, and the average of the two analyses determined.
- 2) Maximum Contaminant Level Violations. If the averaged results for nitrate or nitrite in a non-community public water system exceed the maximum contaminant level, the supplier of water shall give notice to the public in accordance with Section 900.80 of this Part, and begin monitoring the contaminant in question at a frequency established by the Department and shall continue until the maximum contaminant level has not been exceed in two successive samples or until a monitoring schedule as a condition to a variance, exemption or enforcement action becomes effective. Any frequency established by the Department will depend upon the season, location in relation to agricultural areas and previous fluctuations in nitrate and nitrite concentrations.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 900.60 Turbidity

- a) Maximum Contaminant Levels. The maximum contaminant levels for

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turbidity in non-community water systems which use surface water in whole or in part, measured at a representative entry point to the distribution system, shall not exceed ~~are that~~ one turbidity unit (TU) in any sample, except that turbidity values greater than one and equal to or less than 5 TU may be allowed in 95 percent of the samples taken during a month if the supplier of water can demonstrate to the Department that the higher turbidity does not do any of the following:

- 1) Interfere with disinfection.
- 2) Prevent maintenance of an effective disinfectant residual throughout the distribution system.
- 3) Interfere with microbiological determinations.
- b) Monitoring. Samples shall be taken by the supplier of water for non-community water systems which use surface water, in whole or in part, at a representative entry point(s) to the water distribution system at least once every four hours per day. Sampling frequency for turbidity may be reduced in a non-community public water system to once per day if the following conditions are met:

- 1) The supply has a filtration system designed, constructed, operated and maintained as described in the Surface Source Water Treatment Code (77 Ill. Adm. Code 930).
- 2) Minimum free chlorine residual at distant points in the distribution system is at least 0.24 milligram per liter.
- 3) Written approval from the Department has been issued. Approval will be based upon compliance with the above items.

- c) Maximum Contaminant Level Exceeded. If the results of a turbidity analysis indicate that the maximum allowable limit has been exceeded, a second sample shall be analyzed as soon as practicable and preferably within one hour. If the repeat sample confirms that the maximum contaminant level has been exceeded, the supplier of the water shall report to the State within 48 hours. The repeat sample shall be used to calculate the monthly average. If the monthly average exceeds the maximum contaminant level, or if the average of two samples taken on consecutive days exceeds 5 Turbidity Unit (TU), the supplier of water shall report to the State and notify the public as directed in Section 900.80.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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Section 900.65 Organic Chemicals

- a) The maximum contaminant levels for the following organic chemicals shall not be exceeded in a non-transient non-community water system:

1) Chemical (Volatile Organic) Maximum Contaminant Level

A1) Benzene	0.005 mg/l
B2) Carbon tetrachloride	0.005 mg/l
C3) 1,2-Dichloroethane	0.005 mg/l
D4) Trichloroethylene	0.005 mg/l
E5) Para-dichlorobenzene	0.075 mg/l
F6) 1,1-Dichloroethylene	0.007 mg/l
G7) 1,1,1-Trichloroethane	0.20 mg/l
H8) Vinyl chloride	0.002 mg/l
I) cis 1,2 - Dichloroethylene	0.07 mg/l
J) 1,2 - Dichloropropane	0.005 mg/l
K) Ethylbenzene	0.7 mg/l
L) Monochlorobenzene	0.1 mg/l
M) o-Dichlorobenzene	0.6 mg/l
N) Styrene	0.005 mg/l
O) tetrachloroethylene	0.005 mg/l
P) Toluene	2 mg/l
Q) trans-1,2-Dichloroethylene	0.1 mg/l
R) Xylene	10 mg/l

2) Chemical (Pesticides, Herbicides) and Polychlorobiphenols (PCBs) Maximum Contaminant Level

A) Alachlor	0.002 mg/l
B) Aldicarb	0.01 mg/l
C) Addicarb Sulfone	0.04 mg/l
D) Aldicarb sulfonide	0.01 mg/l
E) Atrazine	0.003 mg/l
F) Carbofuran	0.04 mg/l
G) Chlordane	0.002 mg/l
H) Dibromochloropropane	0.0002 mg/l
I) 2,4-D	0.07 mg/l
J) Ethylene dibromide	0.00005 mg/l
K) Heptachlor	0.0004 mg/l
L) Heptachlor epoxide	0.0002 mg/l
M) Lindane	0.0002 mg/l
N) Methoxychlor	0.4 mg/l
O) PCBs	0.0005 mg/l
P) Pentachlorophenol	0.2 mg/l
Q) Toxaphene	0.005 mg/l
R) 2,4,5-TP(Silvex)	0.05 mg/l

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b) Monitoring.

1) All non-transient, non-community water systems shall sample initially for the organic chemicals in Section 900.65(a)(1). Systems which serve a population of less than 3,300 people shall begin the sampling by July 1, 1995, systems which serve between 3,300 and 10,000 shall begin the sampling by July 1, 1993, and systems which serve more than 10,000 people shall begin the sampling by July 1, 1992 for the organic chemicals in Section 900.65 (a)(1) through R. All systems shall begin sampling for the chemicals listed in Section 900.65 (a)(1) (A) through (H) by January 1, 1991. After sampling has begun, sampling shall be conducted on a quarterly basis for one year unless the first quarterly sample does not detect any of these chemicals and the Department has determined that the system is not vulnerable to contamination by these chemicals. Thereafter, the system shall perform repeat monitoring for these chemicals once every five years. In accordance with the requirements of 40 CFR 141.42, 42.52 Fed. Reg. 25690 through 25717, July 8, 1987, and 53 Fed. Reg. 25108 through 25111, July 1, 1988, systems which detect any of these chemicals in any repeat monitoring are required to sample quarterly for three years for all of the chemicals detected. Systems which detect any of these chemicals may reduce sampling to annually provided none of the chemicals detected is greater than the maximum contaminant level for any chemical during the previous three years of quarterly sampling. The system shall be considered vulnerable to contamination by any of the chemicals listed in Section 900.65(a)(1) when any of the following are met:

- i) Previous sampling data from the system indicates the presence of any of these chemicals.
- ii) The system is within 200 feet of a well where these chemicals have been detected.
- iii) The aquifer serving the water well indicates by sample results the presence of any of these chemicals, and that the chemical contaminant is moving in the direction of the water well and is expected to enter the well.
- iv) The water supply is within 200 feet of an area or business where any of these chemicals are stored, distributed or manufactured or is within 200 feet from an area used as a landfill intended to receive waste products.

2) All non-transient, non-community public water systems shall sample for the chemicals listed in accordance with 40 CFR 141

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and 142, 52 Fed. Reg. 25690 through 25717, July 8, 1987, and submit the results of these analyses to the Department within 30 days of analysis or shall submit a letter to the Department requesting the Department to perform sampling. The Department shall then perform sampling at a frequency not to exceed once every five years.

3) Pesticides, Herbicides and PCBs

A) Non-transient, non-community public water systems are required to sample for the chemicals listed in Section 900.65(a)(2) provided the Department determines that the system is vulnerable to contamination by any of these chemicals. If the Department determines the system is vulnerable to contamination by a specific chemical in Section 900.65(a)(2), the system is required to sample for that specific chemical. The system shall be considered vulnerable to contamination by a specific chemical when any of the following are met:

- i) Previous sampling data from the system indicates the presence of any of these chemicals.
- ii) The water supply is within 200 feet of an area in which any of the chemicals are stored, distributed or manufactured or is within 200 feet from a landfill or area intended to receive waste.
- iii) The aquifer serving the water well indicates by previous sample results, the presence of any of these chemicals and that the chemical contaminant is moving in the direction of the water well and is expected to contaminate the well.
- iv) Nitrate levels in the water supply exceed 10 mg/l in two consecutive samples.
- v) Equipment used in the production, storage or distribution of water in the system contains PCBs.
- vi) The water supply uses surface water as its source and the surface water is received from runoff from agricultural land where pesticides are used.

B) Where the system is determined to be vulnerable to contamination, the system shall monitor for the specific chemical quarterly for one year.

i) Systems using groundwater as a source shall sample in

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accordance with the following:

Chemicals not detected. When none of the chemicals is detected during the first year, repeat monitoring shall be required once every five years.

Chemicals detected. When any chemical is detected, repeat monitoring shall be conducted annually for any chemical detected for three years. If the chemical has not been detected during this three year period, the system shall repeat monitoring for the specific chemical every three years.

ii) Surface Water Supplies. Systems which are required to sample and use surface water as a source, shall sample in accordance with the following:

Chemicals not detected. When none of the chemicals is detected during the first year, repeat monitoring shall be conducted quarterly for one year every five years.

Chemicals detected. When any chemical is detected in any sample taken during the first year of monitoring or any subsequent monitoring, the system shall monitor annually for any chemical to which it is determined to be vulnerable.

- c) Maximum Contaminant Level Exceeded. When any contaminant levels in Section 900.65(a) are exceeded, the supplier of water shall notify the public served as prescribed under Section 900.80, and in accordance with the requirements of 40 CFR 141.142 and 143.52 Fed. Reg. 41534 through 41550, October 28, 1987.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 900.70 Microbiological

- a) Maximum Contaminant Level. The maximum contaminant level for coliform bacteria is applicable to non-community water systems.

- 1) Membrane Filter. When utilizing the membrane filter technique, there shall be no coliform per 100 milliliters in any sample.
- 2) Fermentation Tube. When utilizing the fermentation tube technique, and either 10 milliliter or 100 milliliters standard portions, there shall be no coliform bacteria present in any portion in any sample.

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- b) Monitoring. Water samples shall be taken at points which are representative of the conditions within the distribution system.

1) The supplier of water for a non-community water system utilizing a source other than groundwater shall take water samples for coliform analyses based upon population served in accordance with the sample frequency in TABLE D when the system serves more than 1,000 persons in any month, however, in all cases a surface water supply system shall take samples at regular time intervals and at least twice per month. If the Department, on the basis of the results of a sanitary survey, determines that some other increased frequency is required to better monitor the contaminant level of the water source, that shall be the frequency required. A more frequent sampling shall be required if a potential source of contamination is found to exist.

2) The supplier of water for a non-community water system, utilizing a groundwater source, unless otherwise regulated pursuant to specific statutes shall take water samples for coliform analyses in each calendar quarter during which the system provides water to the public. However, when the system serves more than 1,000 persons in any month, the supplier of water shall take water samples for coliform analyses at the frequency required in TABLE D based upon population served. In addition to the monitoring requirements of this Section, an increased monitoring frequency may be required in accordance with the requirements of Section 900.30. The Department shall reduce this sampling frequency provided the system complies with all the following:

- A) The supply serves less than 1,000 persons in any month.
- B) A The supply is served by a groundwater source.
- C) A A sanitary survey has been completed indicating compliance with this Part.
- D) At least four consecutive quarterly negative coliform samples have been taken over the past year.
- E) In no case shall the sampling frequency be less than annual.
- F) No other source of potential contamination is found to exist.

c) Maximum Contaminant Level Exceeded

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- 1) ~~Checklist~~ Sample. When the coliform bacteria in a single sample from a non-community water system exceeds the maximum contaminant level, ~~four~~ two additional check samples shall be collected, from the same sampling point within 24 hours from the time the system has been notified of the sample results, and if the system collects fewer than five routine samples each month it shall collect for analyses a set of five additional samples the next month the system provides water to the public. If a subsequent sample has already been taken from the same sampling point, it shall be considered a check sample.

- 2) Maximum Contaminant Level Violations. When the presence of coliform bacteria in water taken from a particular sampling point has been confirmed by examination of a check sample, the supplier of water shall:

A) Initiate an investigation, and collect additional samples from the same point daily, or at intervals established by the Department, until the results obtained from each of two consecutive check samples show less than one coliform bacterium per 100 milliliters, or no positive portions. Sampling intervals, established by the Department, will depend upon the severity of the contamination and any previous history of contamination of the water supply.

B) Notify the public served, as prescribed under Section 900.80, unless the Department determines that no health hazard has actually existed based upon investigation or knowledge of the circumstances.

- 3) Sample Location. The location at which the check samples were taken shall not be eliminated from future sampling.

d) Special Purpose or Check Samples

- 1) The results from all coliform bacterial analyses, except those obtained from check samples and special purpose samples, or samples with unreliable examination results, shall be used to determine compliance with the maximum contaminant level for coliform bacteria.
- 2) Check samples shall not be included in calculating the total number of samples taken each month to determine compliance.
- 3) Special purpose samples, such as those taken to determine whether disinfection practices following pipe placement, replacement or repair have been sufficient, shall not be used to determine compliance.

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- 4) Samples with unreliable examination results caused by factors beyond control of the water supplier, i.e., excessive transit time between collection and examination of the sample, samples being broken in transit, or interference in test results by other contaminants, shall not be used. In this case, another sample collected immediately upon learning of these results may be used to determine compliance, except that a single sample may not be attributed to more than one monitoring period.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 900.80 Public Notification

- a) Non-Community Water Systems. If a non-community public water system fails to comply with an applicable maximum contaminant level in this Part, or is granted a variance or exemption from a maximum contaminant level, or fails to comply with a schedule prescribed pursuant to a variance or exemption, the supplier of water shall give notice by conspicuous posting of such failure, or granting of such variance or exemption to the persons served by the system, as long as the failure, or the variance or exemption continues. The posting shall be visible to all users of the water. The notification shall conform to the requirements of 40 CFR 141, 142 and 143, (1989) Reg. ~~41534-through-41563~~ 41550-October-28-1987.

- b) Notice Form. Notices shall be written in a manner reasonably designed to fully inform users of the system as follows:

- 1) The notice shall be conspicuous.
- 2) It shall not use unduly technical language.
- 3) It shall not use unduly small print, or other methods which would frustrate the purpose of the notice.
- 4) It shall disclose all material facts, including the nature of the problem and, when appropriate, a clear statement that a drinking water regulation has been violated and any preventive measures that should be taken by the public.
- 5) When required by the Department because of the existence of possible language barriers (e.g. Migrant Labor Camps or concentrations of non-English speaking people), bilingual notice shall be given.
- 6) Notices shall include a balanced explanation of the significance or seriousness to the public health.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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TABLE D

Coliform Sampling Requirements According to
Population Served

Population Served	Samples per month
1,001 to 2,500	2
2,501 to 3,300	3
3,301 to 4,100	4
4,101 to 4,900	5
4,901 to 5,800	6
5,801 to 6,700	7
6,701 to 7,600	8
7,601 to 8,500	9
8,501 to 12,900	10
12,901 to 17,200	15
17,201 to 21,500	20
21,501 to 25,000	25

Systems which serve a population of more than 25,000 per month shall submit monthly samples in accordance with 40 CFR 141.142 and 143, 54 Fed Reg. 27454, June 29, 1989.

(Source: Added at 14 Ill. Reg. _____, effective _____)

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1) Heading of the Part:

Illinois Water Well Construction Code

2) Code Citation:

77 Ill. Adm. Code 920

3) Section Numbers:

920.160

Proposed Action:

Amendment

4) Statutory Authority:

Illinois Water Well Construction Code
Ill. Rev. Stat. 1987, ch. 111 1/2, par. 116.111 et seq.

5) A Complete Description of the Subjects and Issues Involved:

Section 920.160 is being amended to allow a unit of local government authority to charge up to \$100.00 for a water well permit.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes ___ No X

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes ___ No X

If "yes," please specify the date: _____

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes ___ No X

If "yes," please specify type: 6.02(a) ___ or 6.02(b) ___

9) Are there any other Proposed Amendments Pending on this Part?

Yes ___ No X

If Yes:

Section Numbers _____ Proposed Action _____ Ill. Reg. Citation _____

10) Statement of Statewide Policy Objectives:

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Please specify: The Act requires units of local government which pass an ordinance to permit water wells to adopt Department rules. Current rules require a permit fee of \$75.00. In order allow units of local government to charge a permit fee of \$100.00 this amendment is necessary.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

March 30, 1990

B) Type of Small Businesses Affected:

None.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

None

D) Types of Professional Skills Necessary for Compliance:

None

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER 1: WATER AND SEWAGE

PART 920

ILLINOIS WATER WELL CONSTRUCTION CODE

Section	Definitions
920.10	Incorporated Materials
920.15	Scope
920.20	General Requirements
920.30	Design Factors
920.40	Location
920.50	Drilled Wells in Unconsolidated Formations
920.60	Drilled Well Construction in Consolidated Formations
920.70	Special Type Wells
920.80	Construction Materials and Other Requirements
920.90	Finishing and Testing
920.100	Modification of Wells
920.110	Abandoned Wells
920.120	Permit Requirements
920.130	Administrative Hearings
920.140	Designation of Agents of the Department
920.150	Issuance of Water Well Permits by Units of Local Government
920.160	TABLE A Casing and Liner Pipe Weights and Dimensions
TABLE A	Plastic Casing and Liner Pipe Specifications
TABLE B	ILLUSTRATION A Unconsolidated Formations with Non-Stable Overburden
ILLUSTRATION A	Unconsolidated Formations with Stable Overburden
ILLUSTRATION B	ILLUSTRATION C Gravel Wall Construction
ILLUSTRATION C	ILLUSTRATION D Aquifer Below Creviced Formations
ILLUSTRATION D	ILLUSTRATION E Creviced Formations
ILLUSTRATION E	ILLUSTRATION F Bored or Dug Well - Well Not Finished With Buried Slab
ILLUSTRATION F	ILLUSTRATION G Bored or Dug Well - Buried Slab Construction

AUTHORITY: Implementing and authorized by the Illinois Water Well Construction Code (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 116.111 et. seq., as amended by Public Act 86-843, effective January 1, 1990).

SOURCE: Adopted September 12, 1973; amended at 2 Ill. Reg. 42, p. 35, effective October 16, 1978; rules repealed, new rules adopted and codified at 7 Ill. Reg. 9633, effective August 1, 1983; amended at 12 Ill. Reg. 2990, effective January 13, 1988; amended at 13 Ill. Reg. 11796, effective July 1, 1989; amended 14 Ill. Reg. 228, effective January 1, 1990; amended at 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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Section 920.160 Issuance of Water Well Permits by Units of Local Government

a) Approval. A unit of local government may issue water well construction permits provided such units of local government adopt an ordinance which requires the unit of local government to issue water well permits, and which establishes a system for the inspection of water well construction and regulation and provided such ordinance is approved by the Department. The unit of local government may charge a permit fee not to exceed \$100.00.

b) In order to receive approval of an ordinance, the unit of local government must submit a request for approval from the Department and must submit a copy of such ordinance including all amendments. The ordinance shall be approved by the Department provided the ordinance:

- 1) has been adopted by the unit of local government and shall be in effect
- 2) adopts the Illinois Water Well Construction Code (77 Ill. Adm. Code 920) and the Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925)

3) requires the inspection by the unit of local government of each water well for which a permit is issued and the sealing of each abandoned water well, boring, or monitoring well within its jurisdiction. The unit of local government shall enter into a written agreement with the Department to conduct inspections.

c) Required Information. An approved unit of local government which has an ordinance approved by the Department in accordance with subsection (a) of this Section shall submit to the Department the information listed in Section 920.130(b) of this Part for each water well permit issued. This information shall be submitted within 30 days of issuance of the date of issuance of the permit and shall be submitted on forms provided by the Department.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits.
 - 2) Code Citation: 92 Ill. Adm. Code 1040
 - 3) Section Numbers: Proposed Action
1040.46 Amendment
 - 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)) and Section 6-206 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-206).
 - 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking amends current rulemaking to place more emphasis on a person's total driving record when suspending or revoking a person's driving privileges for involvement in an accident involving personal injuries or fatalities.
 - 6) Will this proposed rulemaking replace an emergency rule currently in effect? No.
 - 7) Does this rulemaking contain an automatic repeal date? No.
 - 8) Does this proposed rulemaking contain incorporations by reference? No. this amendment does not contain incorporations by reference.
 - 9) Are there any other amendments pending on this part? Yes.
- | Section Number | Proposed Action | Illinois Register Citation |
|----------------|-----------------|------------------------------------|
| 1040.80 | New Section | 13 Ill. Reg. 10414 (Sept. 8, 1989) |
- 10) Statement of Statewide Policy Objective: This rulemaking will have no effect on local units of government.
 - 11) Time, place and Manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

Nancy Easum
Deputy General Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-6250

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1040
CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

- 12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary of State does not feel this proposed rulemaking will affect any types of small businesses and the proposed rule has not been submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the Proposed Rule begins on the next page:

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Traffic Offense Table
1040.30	3 or More Traffic Offenses Committed Within 12 Months
1040.31	Operating a Motor Vehicle During a Period of Suspension or Revocation
1040.32	Suspension or Revocation of Licenses or Permits Used Fraudulently
1040.35	Commission of an Offense Requiring Mandatory Revocation Upon Conviction
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident and Personal Injury Suspensions or Revocations
1040.48	Vehicle Emission Suspensions
1040.50	Suspension or Revocation of a License of Commercial Vehicle Driver
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	National Driver Register
1040.100	Rescissions
1040.101	Reinstatement Fees

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-201 et seq. and 6-700 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October

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1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 2, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989, amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 3664, effective February 27, 1990; amended at 14 Ill. Reg. 5178, effective April 6, 1990, amended at 14 Ill. Reg. _____, effective _____.

NOTE: Boldface type denotes statutory language.

Section 1040.46 Fatal Accident and Personal Injury Suspensions or Revocations

a) For purposes of this Section, the following definitions shall apply:

"Alcohol Related Suspension" - suspension in accordance with Section 6-206(a)(6), 6-206(a)(17), 6-206(a)(23) of the Illinois Drivers Licensing Law of the Illinois Vehicle Code and Section 11-501.1 of the Illinois Rules of the Road of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-206(a)(6), (17), and (23) and 11-501.1.)

"Auto Emissions Suspension" - suspension for failure to have vehicle tested pursuant to the Vehicle Emissions Inspection Law of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 13A-101 et seq.)

"Curfew Violation Suspension" - suspension of a minor for operating a vehicle on a highway after a prescribed hour without an adult as otherwise provided in Section 1 of "AN ACT relating to a curfew for certain children". (Ill. Rev. Stat. 1987, ch. 23, par. 2371.)

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Failure to Appear Suspension" - suspension for failing to appear in court or pay fine after being issued a traffic ticket.

"Financial Responsibility Suspension" - suspension in accordance with Section 7-304 or 7-309 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 7-304 and 7-309.)

"Hospital" - an institution that provides medical or surgical care and treatment for the sick and injured.

"Reckless Driving" - driving with a wilful or wanton disregard for the safety of persons or property as defined in Section 11-503 of The Illinois Rules of the Road of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-503.)

"Safety Responsibility Suspension" - suspension for violation of Section 7-205 or 7-208 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 7-205 and 7-208.)

"Unsatisfied Judgment Suspension" - suspension in accordance with Sections 7-303(a) and 7-313 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 7-303(a) and 7-313.)

"Warrant Parking/Traffic Suspension" - suspension for arrest warrants issued for failure to pay fines for traffic and parking violations described in Section 6-306.1 of the Illinois Driver

Licensing Law of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-306.1.)

b) The Department shall review accidents in which a fatality or personal injury has occurred and an individual has been convicted of a traffic offense in accordance with the Illinois Traffic Offense Table (92 Ill. Adm. Code 1040.20). No action shall be taken by the Department unless the traffic accident report completed by a law enforcement officer indicates a fatality or personal injury which has been designated as a type A injury and the injured party was transported to a hospital. The code for injury on the traffic accident report defines a type A injury as a bleeding wound, distorted member or an injury for which the victim had to be carried from the scene. No action shall be taken in a personal injury case if the only type A injury indicated was for the individual convicted of the traffic violation.

c) Suspensions and revocations under these provisions shall be based on the number of points a person has accumulated and upon review of the individual's prior driving record, unless the conviction is an immediate action violation wherein no points are assigned. The points shall be assigned in the following manner:

1) Five (5) points shall be added to a person's point total for ~~each~~ a type A personal injury to a maximum of four persons. Five additional points shall be assigned for each type A injury for the fifth and each subsequent type A personal injury. ~~Each~~ Fifteen (15) points shall be added to a person's total for each fatality arising from the accident.

2) For the most serious conviction~~s~~ resulting from the accident, the same amount of points assigned to the conviction pursuant to the Illinois Traffic Offense Table (92 Ill. Adm. Code 1040.20) shall be added to the person's point total.

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- 3) Ten (10) points shall be added to the person's point total for ~~each conviction of reckless driving in violation of Section 11-503 of The Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-503), speeding in excess of twenty-five (25) miles per hour over the speed limit in violation of Section 11-601(b) of The Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-601(b)), or operating a motorcycle on one wheel in violation of Section 11-1403.2 of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-1403.2) issued within ~~the~~ two (2) years prior to or one (1) year subsequent to the accident.~~
- 4) Ten (10) points shall also be added to the person's point total for each conviction of reckless driving in violation of Section 11-503 of The Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-503), speeding in excess of twenty-five (25) miles per hour over the speed limit in violation of Section 11-601(b) of The Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-601(b)), or operating a motorcycle on one wheel in violation of Section 11-1403.2 of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-1403.2) issued within ~~the~~ two (2) years prior to or one (1) year subsequent to the accident.

- 4) Ten (10) points shall also be added to the person's point total for each conviction of reckless driving in violation of Section 11-503 of The Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-503), speeding in excess of twenty-five (25) miles per hour over the speed limit in violation of Section 11-601(b) of The Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-601(b)), or operating a motorcycle on one wheel in violation of Section 11-1403.2 of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-1403.2) issued within ~~four~~ two (2) years prior to or one (1) year subsequent to the accident.

- 5) Five (5) points shall be added to the person's point total for any traffic-related conviction issued within one (1) two (2) years prior to or one (1) year subsequent to the accident until the date of the accident review with the following exceptions:

- A) No conviction associated with a previous suspension or revocation shall be used.
- B) Only the most serious conviction resulting from the accident under review shall be used.

- For accidents involving no fatality, if a person accumulates zero (0) to nine (9) points the Department shall take no action. Ten (10) to thirty-nine (39) points shall result in a three (3) month suspension. Forty (40) to fifty-nine (59) points shall result in a six (6) month suspension and sixty (60) to sixty-nine (69) points shall result in a nine (9) month suspension. Seventy (70) to seventy-nine (79) points shall result in a twelve (12) month suspension. Eighty (80) to eighty-nine (89) points shall result in a fifteen (15) month suspension. Ninety (90) to ninety-nine (99) points shall result in a permanent revocation. If a person accumulates ten (10) or more points in a twelve (12) month period, the Department shall be required to revoke the license.

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- e) For accidents involving a fatality, if a person accumulates zero (0) to ~~thirty-nine (39)~~ thirty (30) points, the Department shall take no action. ~~Thirty (30)~~ thirty (30) to thirty-nine (39) points shall result in a six (6) month suspension and forty (40) to forty-nine (49) points shall result in a nine (9) month suspension. Fifty (50) to fifty-nine (59) points shall result in a twelve (12) month suspension. If a person accumulates sixty (60) or more points, that person's driving privileges shall be revoked.
- f) Any person whose driving privileges were suspended, revoked or cancelled at the time of the fatal or personal injury accident shall have his/her driving privileges revoked. Any person who as a result of a fatal or personal injury accident is convicted of passing a stopped school bus in violation of Section 11-1414 of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, Ch. 95 1/2, par. 11-1414) shall have his/her driving privileges revoked.
- g) In accordance with Section 6-206(4) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-206(4)), any suspension or revocation imposed shall start no later than six (6) months after the conviction of the individual for violating a traffic ordinance related to the accident or no more than one (1) year subsequent to the date of the accident involving a fatality or personal injury, whichever date occurs later.
- h) Any person involved in ~~either a fatal or~~ either a fatal accident who is convicted of an immediate action violation as defined in Section 1040.20 of the Illinois Traffic Offense Table (92 Ill. Adm. Code 1040.20) shall have his/her driving privileges revoked under the applicable Section of the Illinois Vehicle Code.

- f) Any person whose driving privileges were suspended, revoked or cancelled at the time of the fatal or personal injury accident shall have his/her driving privileges revoked. Any person who as a result of a fatal or personal injury accident is convicted of passing a stopped school bus in violation of Section 11-1414 of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-1414) shall have his/her driving privileges revoked.

- g) In accordance with Section 6-206(4) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-206(4)), any suspension or revocation imposed shall start no later than six (6) months after the conviction of the individual for violating a traffic ordinance related to the accident or no more than one (1) year subsequent to the date of the accident involving a fatality or personal injury, whichever date occurs later.

- h) Any person involved in ~~elicit~~ *a personal injury or fatality* accident who is convicted of an immediate action violation as defined in Section 1040.20 of the Illinois Traffic Offense Table (92 Ill. Adm. Code 1040.20) shall have his/her driving privileges revoked under the applicable Section of the Illinois Vehicle Code.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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- 1) The patient and facility identifying information submitted to the Perinatal Center by the Department as required under this Part is to be used in the course of medical study under Part 21 of Article 8 of the Code of Civil Procedure and is therefore, privileged from disclosure.
2. The Perinatal Center's request for APORS data should clearly indicate the purpose for which the data will be used. The Department shall release data only for internal quality control or medical study for the purpose of reducing morbidity or mortality, or for improving patient care. The Department shall provide a copy of the original request and the data which are released to the hospital which originally reported these data.

Section 840.110 Information Required to be Reported

3. In Section 840.110 (d), the Department added "Reporting facilities shall report to the Department by letter each July 1, the status of the completeness of reporting of cancer incidence cases diagnosed through December of the prior year." at the end of the first sentence.

Section 840.300 Entities Required to Submit Information (Occupational Disease)

4. In Section 840.300 (a)(1) and (a)(2), the words "blood lead level testing" replaced "elevated blood level requests".
5. In Section 840.300 (b), the Department changed the word "licensed" to "certified."

Section 840.305 Information Required to be Reported (Occupational Diseases)

6. In Section 840.305 (e), the Department changed it to read within "7 business days" rather than "7 days."
7. In Section 840.306 (h), the Department added subsection (h):
 - h) The mode of access and the time during which this access will be provided shall be by mutual agreement between the hospital, other reporting facilities and the Department. The Department shall not require hospitals and other reporting facilities to provide information on cases which are dated more than two years before the Department's request for further information. Any disputes regarding access shall be resolved by the hospital and the Department within 30 days after requests for access have been denied.

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Appendix B Forms and Instructions for APORS Reporting
Exhibit A Instruction for Completing Infant Discharge Record

8. In Appendix B Forms and Instructions for APORS Reporting, Exhibit A Instruction for Completing Infant Discharge Record and on Illustration A Infant Discharge Record, the Department added "Drug Toxicity or Withdrawal". In Appendix B Forms and Instructions for APORS Reporting, Illustration A Infant Discharge Record, the Department added "Drug Toxicity or Withdrawal."

Appendix C Forms and Instructions for Occupational Disease Registry
Illustration A Laboratory Report of Adult Elevated Blood Lead Analysis

9. In Appendix C, Illustration A and in item 19 of Appendix C Forms and Instructions for Occupational Disease Registry, Illustration A Laboratory Report of Adult Elevated Blood Lead Analysis, the Department corrected this spelling by replacing the word "hematofluorometry" with "hematofluorometry".

Appendix C Forms and Illustrations for Occupational Disease Registry
Illustration B Follow-up Report of Adult Blood Lead Analysis

10. In Appendix C, Illustration B, the Department changed the title to "Health Department Follow-Up Report of Adult Blood Level Analysis" and under Race, "Pacific Island" will read "Pacific Islander", the category "O. N/A" was eliminated from "Hispanic Origin", and "Company Name" was changed to "Company Name and Address."

Appendix C Forms and Instructions for Occupational Disease Registry
Illustration C Occupational Disease Registry Abstract Information
from the Illinois Health Care Cost Containment Council

11. In Appendix C Forms and Instruction for Occupational Disease Registry, Illustration C Occupational Disease Registry Abstract Information, the Department changed the code to "Mesothelioma (ICD-9-CM Code 158.8 (Peritoneum), 163.0 (Pleura), 164.1 (Pericardium), 180.0 (Ovary))."

Appendix C Forms and Instructions for Occupational Disease Registry
Exhibit A Instructions for Completing the Laboratory Based Report of Adult Blood Lead Analysis

12. In Appendix C, Exhibit A, the Department changed all references to "elevated blood lead sample" in items 11, 12, 13, 14, 15, 16 and 17 to "blood lead sample".

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13. In Appendix C, Exhibit A Follow-Up Report of Adult Blood Lead Analysis, the Department changed the title to "Health Department Follow-Up Report of Adult Blood Lead Analysis."

Appendix C: Form and Instruction for Blood Lead Reporting

14. In Appendix C: Form and Instruction for Blood Lead Reporting, the Department added "with concentration 25 mcg/dl or greater, : to line one after "tests."

The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

1. To insert "blood lead level testing" in place of "elevated blood level testing" in Section 840.300 (a)(1), and to insert "blood lead level testing" in place of "elevated blood level requests" in Section 840.300 (a)(2).
2. To insert "patient" in place of "case" wherever it appears in Section 840.305 (b) and (g).
3. To delete the second sentence of Section 840.310 (d).
4. To underline "(Occupational Disease Component)" in the Table of Contents, Section 840.300.
5. To modify Exhibit B and Illustration A of Appendix C in the Table of Contents to agree with the headings in the text.
6. To delete "s" from "thats", to delete "function is to", and to add an "s" to "monitor" in the definition of "hospital Tumor Registry" in Section 840.10.
7. To capitalize "section" before "including full details of the violation" in Section 840.30 (d)(1)(C).
8. To change "authorities" to "authority" in the last line of Section 840.305 (e).
9. To change "my" before "mutual agreement" to "by" in the first sentence of Section 840.305 (h).
10. To change "test" to "tests" in the first sentence of Appendix C, Exhibit A.
11. To change "of" before "Samoa" to "or" in the third paragraph of #9 of Appendix C, Exhibit B.

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12. To place "I" at the end in Section 840. Appendix C, Illustration (C)(7) and (8).
13. To use the term "data base" as two words consistently throughout this rulemaking.
14. To delete "or" from the phrase "of receipt or of results".
15. To delete the second sentence of Section 840.310 (b), and to insert in its place "Otherwise, the following terminology shall be interpreted as indicating a reportable occupational disease".

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

- 13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes No X

- 14) Are there any other Amendments Pending on this Part? Yes No X

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
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- 15) Summary and Purpose of Rules:

The "Illinois Health and Hazardous Substances Registry Act: requires the Department to establish a unified Registry to collect, compile and correlate information on public health and hazardous substances. This Registry, entitled the "Health and Hazardous Substances Registry, will simple information on: adverse pregnancy outcomes; cancer incidences; occupational diseases; location, transportation and exposure to hazardous nuclear materials; company profiles, and hazardous substances incidents. This information will be compiled in four interrelated components of the Registry: Cancer, Adverse Pregnancy Outcomes, Occupational Diseases and Hazardous Substances.

Subpart A of this Part contains the general provisions for the "Health and Hazardous Substances Registry" and all four components. These general

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provisions concern definitions, incorporated materials, availability of Registry information, and quality control. This rulemaking adds a section explaining the purpose of this Part, adds definitions, modifies the rules concerning access to data to clarify provisions concerning duplicate data requests, and allow disclosure of data to hospitals and Regional Perinatal Networks. In addition, a new section is being added to explain when and how fees are assessed and processed.

Subpart B of this Part contains the provisions for the Illinois State Cancer Registry. These provisions concern what entities must submit information, what information must be submitted, how the relevant information must be submitted and how the quality of the reporting system is reviewed. This rulemaking modifies the information to be reported and the terminology used to report information. In addition, Section 840.120 is being repealed as duplicative of Section 840.50.

Subpart C of this Part contains the provisions for the "Adverse Pregnancy Outcomes Reporting System". These provisions concern what entities must submit information, what information must be submitted, how the relevant information must be submitted and how the quality of the reporting system is reviewed. This rulemaking modifies the information to be reported to include urine toxicology information.

Subpart D of these Proposed Rules contains the provisions for the "Occupational Disease Registry". These provisions concern what entities must submit information, what information must be submitted, how the relevant information must be submitted and how the quality of the reporting system is reviewed. Local Health authorities can elect to follow-up on cases. The Department proposes to require laboratory based reporting of adults screened at 25 mcg/dl or greater and collection from existing reporting sources data bases of asbestosis, silicosis, and coal worker's pneumoconiosis information for the Occupational Disease Registry.

This rulemaking adds the Illinois State Cancer Registry Incidence Report Form; modifies Appendix B, Exhibit A and Illustration A concerning the information reported on the Infant Discharge Record; adds Appendix B, Exhibit B, Illustration B, Maternal Supplement Abstract to set forth the data elements collected through abstracting medical records; and adds Appendix C containing instructions and forms for reporting blood lead levels and abstracting other occupational disease incidence data from medical records.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Mr. Robert John Kane, Division of Governmental Affairs, Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER P: HAZARDOUS AND POISONOUS SUBSTANCES

PART 840
ILLINOIS HEALTH AND HAZARDOUS
SUBSTANCES REGISTRY

SUBPART A: GENERAL REGISTRY PROVISIONS

Section	Purpose
840.5	Definitions
840.10	Incorporated Materials
840.20	Availability of Registry Information
840.30	Administrative Hearings
840.40	Quality Control
840.50	Fee Assessment
840.60	

SUBPART B: ILLINOIS STATE CANCER REGISTRY

Section	Entities Required to Submit Information
840.100	Information Required to be Reported
840.110	Methods of Reporting Cancer Registry Information
840.115	Quality Control (Repealed)
840.120	
SUBPART C: ADVERSE PREGNANCY OUTCOMES REPORTING SYSTEM	
840.200	Entities Required to Submit Information
840.210	Adverse Pregnancy Outcomes Information Required to be Reported
840.215	Methods of Reporting APORS Information

SUBPART D: OCCUPATIONAL DISEASE REGISTRY

Section	Entities Required to Submit Information (Occupational Disease Component)
840.300	Information Required to be Reported
840.305	Methods of Reporting Occupational Disease
840.310	ISCR Incidence Report Form
Appendix A	Forms and Instructions for APORS Reporting
Appendix B	Forms and Instructions for Completing the Infant Discharge Record
Appendix C	Illustration A Infant Discharge Record
Appendix D	Illustration B Maternal Supplement Abstract
Appendix E	Forms and Instructions for Occupational Disease Registry
Appendix F	Forms and Instructions for completing the Laboratory Based Report of Adult Blood Lead Analysis
Appendix G	Instructions for completing the Health Department Follow-up

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- Report of Adult Blood Lead Analysis For Results of 25 mcg/dl and Above (Local Health Authorities will use this form)
- Illustration A Health Department Laboratory Report of Adult Elevated Blood Lead Analysis 25 mcg/dl and Above
- Illustration B Health Department Follow-up Report of Adult Blood Lead Level Analysis For Results of 25 mcg/dl and Above
- Illustration C Occupational Disease Registry Abstract Information from the Illinois Health Care Cost Containment Council

AUTHORITY: Implemented and authorized by the Illinois Health and Hazardous Substances Registry Act (111. Rev. Stat. 1987, ch. 111 1/2, par. 6701 et seq.), Section 55.31b of the Civil Administrative Code of Illinois (111. Rev. Stat. 1987, ch. 127, par. 55.31b), "AN ACT relating to the prevention of developmental disabilities" (111. Rev. Stat. 1987, ch. 111 1/2, par. 2101 et seq.), and the Lead Poisoning Prevention Act (111. Rev. Stat. 1987, ch. 111 1/2, par. 1301 et seq., specifically par. 1307).

SOURCE: Adopted at 10 111. Reg. 7842, effective May 19, 1986; amended at 12 111. Reg. 13173, effective August 1, 1988; amended at 14 111. Reg. 5495, effective April 1, 1990.

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL REGISTRY PROVISIONS

Section 840.5 Purpose

- a) IT IS THE PURPOSE OF THE ILLINOIS HEALTH AND HAZARDOUS SUBSTANCES REGISTRY ACT (111. Rev. Stat. 1987, ch. 111 1/2, par. 6701 et seq.) TO ESTABLISH A UNIFIED STATEWIDE PROJECT TO COLLECT, COMPILE AND CORRELATE INFORMATION ON PUBLIC HEALTH AND HAZARDOUS SUBSTANCES. SUCH INFORMATION IS TO BE USED TO ASSIST IN THE DETERMINATION OF PUBLIC POLICY AND TO PROVIDE A SOURCE OF INFORMATION FOR THE PUBLIC. (Section 2 (b) of the Act). THE REGISTRY SHALL CONSIST OF THE COMPILED INFORMATION IN THE FOLLOWING CATEGORIES:

- 1) ADVERSE PREGNANCY OUTCOMES;
- 2) CANCER INCIDENCES;
- 3) OCCUPATIONAL DISEASES;
- 4) LOCATION, TRANSPORTATION, AND EXPOSURE TO HAZARDOUS NUCLEAR MATERIALS;
- 5) COMPANY PROFILES; AND
- 6) HAZARDOUS SUBSTANCES INCIDENTS.

(Section 6 (a) of the Act).

- b) The following subparts of this Part 840 apply to the different components of the Illinois Health and Hazardous Substances Registry: Subpart A: General Registry Provisions; Subpart B: Illinois State

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Cancer Registry; Subpart C: Adverse Pregnancy Outcome Reporting System and Subpart D: Occupational Disease Registry.

(Source: Amended at 14 111. Reg. 5495, effective April 1, 1990)

Section 840.10 Definitions

"Act" means the Illinois Health and Hazardous Substances Registry Act (111. Rev. Stat. 1987, ch. 111 1/2, par. 6701 et seq.).

"ADVERSE PREGNANCY OUTCOMES" INCLUDES BUT IS NOT LIMITED TO BIRTH DEFECTS, FETAL LOSS, INFANT MORTALITY, LOW BIRTH WEIGHT, SELECTED LIFE-THREATENING CONDITIONS, AND OTHER DEVELOPMENTAL DISABILITIES AS DEFINED IN SECTION 840.210 OF THIS PART. (Section 3(1) of the Act.)

"Ambulatory Surgical Treatment Center" means any facility subject to licensure pursuant to the "Ambulatory Surgical Treatment Center Act" (111. Rev. Stat. 1987, ch. 111 1/2, par. 157-8.1 et seq.); and any other institution, place, or building devoted primarily to the maintenance and operation of facilities for the performance of surgical procedures which is maintained by the state or local government bodies.

"APORS" means Adverse Pregnancy Outcomes Reporting System.

"CANCER" MEANS ALL MALIGNANT NEOPLASMS, REGARDLESS OF THE TISSUE OF ORIGIN, INCLUDING MALIGNANT LYMPHOMA AND LEUKEMIA. (Section 3(e) of the Act).

"Cancer-confirming report" means the simple biopsy, excision biopsy or surgical pathology report(s) that confirm(s) the morphologic (histologic) type of cancer, primary site, and the stage or extent of disease.

"CANCER INCIDENCE" MEANS A MEDICAL DIAGNOSIS OF CANCER, CONSISTING OF A RECORD OF CASES OF CANCER AND SPECIFIED CASES OF TUMOROUS OR PRECANCEROUS DISEASES WHICH OCCUR IN ILLINOIS, AND SUCH OTHER INFORMATION CONCERNING THESE CASES AS THE DEPARTMENT DEEMS NECESSARY OR APPROPRIATE IN ORDER TO CONDUCT THOROUGH AND COMPLETE EPIDEMIOLOGICAL SURVEYS OF CANCER AND CANCER-RELATED DISEASES IN ILLINOIS. (Section 3(f) of the Act).

"Cancer Program" means a program which meets or exceeds the following institutional resource requirements:

Has a functioning multidisciplinary cancer committee;

Provides resources for the diagnosis and treatment of cancer,

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and;

Is directed at improving the facility's cancer control efforts in activities such as: prevention, early diagnosis, pretreatment evaluation, staging, optimal treatment, rehabilitation, surveillance for recurrent and multiple primary cancers, and care of dying cancer patients.

"Clinical Laboratory" means any clinical laboratory as defined in the Illinois Clinical Laboratories Act. (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 621-101 et seq., as amended ~~specifically-par. 622-103~~).

"COMPANY PROFILE" INCLUDES BUT IS NOT LIMITED TO THE NAME OF ANY COMPANY OPERATING IN THE STATE OF ILLINOIS WHICH GENERATES, USES, DISPOSES OF OR TRANSPORTS HAZARDOUS SUBSTANCES, IDENTIFICATION OF THE TYPES OF PERMITS ISSUED IN SUCH COMPANY'S NAME, RELATING TO TRANSACTIONS INVOLVING HAZARDOUS SUBSTANCES, INVENTORY OF HAZARDOUS SUBSTANCES HANDLED BY SUCH COMPANY, AND THE MANNER IN WHICH SUCH HAZARDOUS SUBSTANCES ARE USED, DISPOSED OF, OR TRANSPORTED BY THE COMPANY. (Section 3(j) of the Act).

"Congenital factors" means those factors which influence the intrauterine growth, development and formation of the fetus and neonate.

"COUNCIL" MEANS THE HEALTH AND HAZARDOUS SUBSTANCES COORDINATING COUNCIL. (Section 3(c) of the Act).

"DEPARTMENT" MEANS THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH. (Section 3(a) of the Act).

"DIRECTOR" MEANS THE DIRECTOR OF THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH. (Section 3(b) of the Act).

"Elevated Blood Lead Level" means a concentration of lead in whole blood in excess of 25 micrograms per deciliter.

"Facility" is a hospital, clinical laboratory, ambulatory surgical treatment center or other entity as defined in this Part ~~these rules which is required to make reports to the Department pursuant to Section 840-100 of this Part.~~

"Facility identifying information" means any information, collection or grouping of data from which the identity of the facility to which it relates may be discerned, e.g., name, address or Facility I.D.

"HAZARDOUS NUCLEAR MATERIAL" MEANS ANY SOURCE OR SPECIAL NUCLEAR MATERIAL INTENDED FOR USE OR USED AS AN ENERGY SOURCE IN A PRODUCTION

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OR UTILIZATION FACILITY AS DEFINED IN SEC. 11.V. OR 11.CC. OF THE FEDERAL ATOMIC ENERGY ACT OF 1954 AS AMENDED;

ANY FUEL WHICH HAS BEEN DISCHARGED FROM SUCH A FACILITY FOLLOWING IRRADIATION, THE CONSTITUENT ELEMENTS OF WHICH HAVE NOT BEEN SEPARATED BY REPROCESSING; OR

ANY BY-PRODUCT MATERIAL RESULTING FROM OPERATION OF SUCH A FACILITY. (Section 3(k) of the Act).

"HAZARDOUS SUBSTANCES" MEANS A HAZARDOUS SUBSTANCE AS DEFINED IN SECTION 3 OF THE ENVIRONMENTAL PROTECTION ACT (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1001 et seq.). (Section 3(h) of the Act).

"HAZARDOUS SUBSTANCES INCIDENT" INCLUDES BUT IS NOT LIMITED TO SPILL, FIRE OR ACCIDENT INVOLVING HAZARDOUS SUBSTANCES, ILLEGAL DISPOSAL, TRANSPORTATION, OR USE OF HAZARDOUS SUBSTANCES, AND COMPLAINTS OR PERMIT VIOLATIONS INVOLVING HAZARDOUS SUBSTANCES. (Section 3(i) of the Act).

"Hospital" means any facility subject to licensure pursuant to the Hospital Licensing Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 142 et seq.); and any other institution, place or building devoted primarily to the maintenance and operation of facilities for the performance of medical or surgical care which is maintained by the State or local government bodies.

"Hospital Cancer Program" is any hospital program which maintains a cancer committee, holds cancer conferences, conducts cancer patient evaluation studies, maintains a cancer registry, and has applied for or received accreditation by the American College of Surgeons.

"Hospital Tumor Registry" is a data collection system that monitors all types of cancer diagnosed or treated at that facility by collecting case identification, a description of the patient and the cancer, treatment and follow-up data.

"ICD-9-CM" means International Classification of Diseases, 9th Revision Clinical Modification 1986-ed., World Health Organization, Geneva, Switzerland.

"Infant Discharge Record" is a form provided by the Department for identifying and reporting adverse pregnancy outcomes by a reporting facility to the Department (See Appendix B, Illustration A).

"Lead Hazard" means a lead bearing substance which poses an immediate health hazard to humans, due to its accessibility.

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"Local Health Authority" means the full-time official health department or board of health as recognized by the Department, which has jurisdiction over a particular geographical area.

"mcg/dl" means micrograms per deciliter.

"Morphology" means a concise diagnostic description of a tumor which includes the kind of tumor, the behavior of the tumor (e.g., benign, in-situ, malignant, or malignant uncertain, whether primary or metastatic), and the grade or degree of differentiation of the cells.

"Neonate" means an infant less than 28 days of age.

"Newly diagnosed" means a condition or disease first discovered or diagnosed by a licensed physician or dentist in a resident of the State of Illinois or a non-resident receiving medical diagnosis or treatment in the State of Illinois.

"OCCUPATIONAL DISEASE" INCLUDES BUT IS NOT LIMITED TO ALL OCCUPATIONAL DISEASES COVERED BY THE WORKERS' OCCUPATIONAL DISEASES ACT (Ill. Rev. Stat. 1987, ch. 48, par. 176.36 et seq.). (Section 3(g) of the Act).

"Other facility" means any person, organization, institution, corporation, partnership or other entity not required to be licensed as a health care facility by the State of Illinois which maintains and operates facilities for the performance of diagnostic, laboratory or therapeutic services for the identification and treatment of cancer.

"Patient identifying information" means any information or collection or grouping of data from which the identity of the person to whom it relates may be discerned, e.g. name, address and social security number.

"PERINATAL" MEANS THE PERIOD OF TIME BETWEEN THE CONCEPTION OF AN INFANT AND THE END OF THE FIRST MONTH OF LIFE. (Section 2(a) of the Perinatal Act).

"Perinatal Act" means "AN ACT relating to the prevention of developmental disabilities" (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 2101 et seq.).

"PERINATAL CENTER" MEANS A REFERRAL FACILITY INTENDED TO CARE FOR THE HIGH RISK PATIENT BEFORE, DURING OR AFTER LABOR AND DELIVERY AND CHARACTERIZED BY SOPHISTICATED AND AVAILABILITY OF PERSONNEL, EQUIPMENT, LABORATORY, TRANSPORTATION TECHNIQUES, CONSULTATIONS AND OTHER SUPPORT SERVICES. (Section 2(e) of the Perinatal Act.)

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"Primary site" means the anatomic location in a cancer patient which identifies the site of origin of a tumor, (e.g., where the cancer first began).

"Regional Perinatal Network" means any number and combination of hospital-based maternity and newborn facilities functioning at one of three levels of perinatal care.

"REGISTRY" MEANS THE ILLINOIS HEALTH AND HAZARDOUS SUBSTANCES REGISTRY ESTABLISHED BY THE DEPARTMENT OF PUBLIC HEALTH UNDER SECTION 6 OF THE ACT. (Section 3(d) of the Act).

(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)
Section 840.20 Incorporated Materials

a) The following materials are incorporated and referenced in this Part:

1) State of Illinois Statutes

- A) Illinois Health and Hazardous Substances Registry Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6701 et seq.) (See Sections 840.5, 840.10 definition of "Act.")
- B) "AN ACT relating to the prevention of developmental disabilities" (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 2101 et seq.) (See Section 840.10 definition of "Perinatal Act.")
- C) Section 55.316 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 55.316).
- D) Lead Poisoning Prevention Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1301 et seq.).
- E) Ambulatory Surgical Treatment Center Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 157-8.1 et seq.) (See Section 840.10 definition of "Ambulatory Surgical Treatment Center.")
- F) Illinois Clinical Laboratory Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 621-101 et seq.) (See Section 840.10 definition of "Clinical Laboratory.")
- G) Hospital Licensing Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 142 et seq.) (See Section 840.10 definition of "Hospital.")
- H) Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, par. 201 et seq.) (See Section 840.306).

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- 1) Part 21 of Article 8 of the Code of Civil Procedure, commonly known as the "Medical Studies Act" (Ill. Rev. Stat. 1987, ch. 110, par. 8-2101 et seq.) (See Section 840.30 (g) and 840.200 (a)).
- J) State Records Act (Ill. Rev. Stat. 1987, ch. 116, par. 43.4 et seq.) (See Section 840.30 (h)).
- K) Vital Records Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 73-1 et seq.) (See Section 840.210 (e)).
- †† ~~International Classification of Diseases for Oncology, 1976, World Health Organization, Geneva, Switzerland and (See Section 840.115).~~
- 2) State of Illinois Regulation:
- A) Freedom of Information Code (2 Ill. Adm. Code 1126) (See Section 840.30 (a)).
- B) Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100) (See Section 840.40).
- C) Hospital Licensing Requirements (77 Ill. Adm. Code 250) (See Section 840.215 (b)).
- D) Regionalized Perinatal Care (77 Ill. Adm. Code 640) (See Section 840.200 (a) and 840.215 (b)).
- 2† 42-CFR-2A-pars-4a-j, 6a-b, 7a-b†-(See-Section-840.30).
- 3) Federal Rules
- A) 42 CFR 2A, pars. 4 a-j, 6 a-b, 7 a-b1 (See Section 840.30 (b) and 840.110 (f)).
- B) 29 CFR 1910.1025 (See Section 840.10 definition of "Emergency Removal of Worker With an Elevated Blood Lead Level" and 840.30).
- 3† 2-111-Adm-Gode-1126†-(See-Section-840.30).
- 4) Other Guidelines and Materials
- A) International Classification of Diseases, 9th Revision Clinical Modification, World Health Organization, Geneva, Switzerland (1986) (See Section 840.10 definition of "ICD-9-CM.")

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- B) International Classification of Diseases for Oncology, 1976, World Health Organization, Geneva, Switzerland and (See Section 840.115).
- 4† 77-111-Adm-Gode-100†-(See-Section-840.40).
- b) All citations to federal regulation in this Part concern the specified regulations in the 1989 1985 Code of Federal Regulations, unless another date is specified.
- c) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.
- (Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)
- Section 840.30 Availability of Registry Information
- a) All reports issued by the Department which are aggregated to make it impossible to identify any patient or reporting facility, including the annual report, shall be made available to the public pursuant to the Department's Freedom of Information Code rules (2 Ill. Adm. Code 1126) and the Freedom of Information Act. †††-Rev-Stat-1987-eh-116-par-201-et-seq-††
- b) All requests by medical or epidemiologic researchers for confidential Registry data must be submitted in writing to the Registry. The request must include a study protocol which contains: objectives of the research; rationale for the research including scientific literature justifying current proposal; overall study methods, including copies of forms, questionnaires, and consent forms used to contact facilities, physicians or study subjects; including methods for documenting compliance with 42 CFR 2A, pars. 4 a-j, 6 a-b, 7 a-b1 42-CFR-2A-4(a)-through-(j), 2a-6(a)-and-(b), and 2a-7(a)-through-(b)†††††; methods for the processing of data; storage and security measures taken to insure confidentiality of patient identifying information; time frame of the study; a description of the funding source of the study (e.g. federal contract); the curriculum vitae of the principal investigator and a list of collaborators. In addition, the research request must specify what patient or facility identifying information is needed and how the information will be used.
- c) All requests to conduct research and modifications to approved research proposals involving the use of data which includes patient or facility identifying information shall be subject to a review to determine compliance with the following conditions:

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- 1) The request for patient or facility identifying information contains stated goals or objectives.
 - 2) The request documents the feasibility of the study design in achieving the stated goals and objectives.
 - 3) The request documents the need for the requested data to achieve the stated goals and objectives.
 - 4) The requested data can be provided within the timeframe set forth in the request.
 - 5) The request documents that the researcher has qualifications relevant to the type of research being conducted.
 - 6) The research will not duplicate other research already underway using the same registry data when both require the contact of a patient, reporting facility or physician about an individual patient involved in the previously approved concurrent research.
 - 7) Other such conditions relevant to the need for the patient or facility identifying information and the patient's confidentiality rights because the Department will only release the patient or facility identifying information which is necessary for the research.
- d) Research Agreements.
- 1) The Department will enter into research contracts for all approved research requests. These contracts shall specify exactly what information is being released and how it can be used in accordance with the standards in subsection (c) above. In addition, the researcher shall include an assurance that:
 - A) use of data is restricted to the specifications of the protocol;
 - B) any and all data which may lead to the identity of any patient, research subject, physician, other person, or hospital is strictly privileged and confidential and agrees to keep all such data strictly confidential at all times;
 - C) all officers, agents and employees will keep all such data strictly confidential, will communicate the requirements of this Section to all officers, agents, and employees, will discipline all persons who may violate the requirements of this Section section, and will notify the Department in writing within forty-eight (48) hours of any violation of

this Section, including full details of the violation and corrective actions to be taken;

- D) all data provided by the Department pursuant to this contract may only be used for the purposes named in this contract and that any other or additional use of the data may result in immediate termination of this contract by the Department;
- E) all data provided by the Department pursuant to this contract is the sole property of the Department and may not be copied or reproduced in any form or manner and agrees to return all data and all copies and reproduction of the data to the Department upon termination of this contract.
- 2) Any departures from the approved protocol must be submitted in writing and approved by the Director in accordance with subsection (c)(2) above prior to initiation. No patient or facility identifying information may be released by a researcher to a third party.
- e) The Department shall disclose individual patient or facility information to the reporting facility, which originally supplied that information to the Department, upon written request of the facility.
- f) The Department, by signed and reciprocating agreement, may disclose individual patient information concerning residents of another state to the registry in the individual's state of residence only if the recipient of such information is legally required to hold such information in confidence and provides protection from disclosure of patient identifying information equivalent to the protection afforded by the Illinois law.
- g) The patient identifying information submitted to the Department by those entities required to submit information under the Act and this part is to be used in the course of medical study under the Part 21 of Article 8 of the Code of Civil Procedure ~~(111-Rev-Stat-1987-eh-1107-Par-8-2101-ct-seq-)~~. Therefore, this information is privileged from disclosure by the Part 21 of Article 8 of the Code of Civil Procedure.
- h) THE IDENTITY of any facility, or, ANY GROUP OF FACTS WHICH TENDS TO LEAD TO THE IDENTITY, OF ANY PERSON WHOSE CONDITION OR TREATMENT IS SUBMITTED TO THE ILLINOIS HEALTH AND HAZARDOUS SUBSTANCES REGISTRY IS CONFIDENTIAL AND SHALL NOT BE OPEN TO PUBLIC INSPECTION OR DISSEMINATION. Such information shall not be available for disclosure, inspection or copying under the Freedom of Information Act ~~(111-Rev-Stat-1987-eh-116-Par-201-ct-seq-)~~ or the State

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Records Act (111-Rev. Stat. 1987, ch. 116, par. 43-4 et seq.).

ALL INFORMATION FOR SPECIFIC RESEARCH PURPOSES MAY BE RELEASED IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE DEPARTMENT IN THIS SECTION. (Section 4(d) of the Act.).

- i) HOSPITALS, LABORATORIES, OTHER FACILITIES OR PHYSICIANS SHALL NOT BE HELD LIABLE FOR THE RELEASE OF INFORMATION OR CONFIDENTIAL DATA IN ACCORDANCE WITH THIS ACT. THE DEPARTMENT SHALL PROTECT ANY INFORMATION MADE CONFIDENTIAL OR PRIVILEGED UNDER LAW. (Section 4(e) of the Act.).

- j) Every hospital shall provide representatives of the Department with access to information from all medical, pathological, and other pertinent records and logs related to reportable registry information. The mode of access and the time during which this access will be provided shall be by mutual agreement between the hospital and the Department. The Department shall not require hospitals to provide information on cases which are dated more than two years before the Department's request for further information.

- k) Every hospital shall provide access to information regarding specified patients or other patients specified for research studies, related to reportable registry information, conducted by the Department. Any disputes as to access shall be resolved by the hospital and the Department within 30 days after requests for access have been denied.

- l) The Department shall disclose individual patient or facility APORS information obtained from each Regional Perinatal Network facility to the Regional Perinatal Network's Perinatal Center, upon written request of that particular Perinatal Center's Clinical Director. The Perinatal Center by the Department as required under this Part is to be used in the course of medical study under Part 21 of Article 8 of the Code of Civil Procedure and is therefore, privileged from disclosure. The Perinatal Center's request for APORS data should clearly indicate the purpose for which the data will be used. The Department shall release data only for internal quality control or medical study for the purpose of reducing morbidity or mortality, or for improving patient care. The Department shall provide a copy of the original request and the data which are released to the hospital which originally reported these data.

- m) The Department shall disclose summary and statistical reports containing information which identifies individual patients or individual hospitals to the hospital which reported the patient, to the Perinatal Center with which it is affiliated, and to the local health agency designated by the Department to provide follow-up

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services to patients. Such reports may contain information provided by the referring hospital and information provided by the follow-up agency. Patient and reporting facility specific data provided to the appropriate designee under this section is confidential and shall not be otherwise disclosed.

(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840.50 Quality Control

- a) Reporting facilities shall be subject to review at least but not limited to, once each year for the purpose of assessing the quality and completeness of the data reporting by the facility. The review consists of the following three components. The first component consists of the Department auditing the reporting facilities to determine if all newly diagnosed cases have been identified. The second component consists of the Department re-abstracting a sample of a reporting facility's medical records to determine the completeness and accuracy of information previously submitted to the registry. The third component consists of the reporting facilities abstracting a sample of standard medical records to determine the uniformity of data collection.

- b) A reporting facility shall, upon request of the Department within two-years-of-submission, supply missing information if known, provide additional medical information when needed or clarify information previously submitted to the Department.

(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840.60 Fee Assessment

The Department shall charge persons or organizations, other than State agencies or other units of state government including the Illinois General Assembly and Staff, for requested summaries or analyses of data which are not included in any report, survey or compilation of data prepared by the Department.

- a) All requests for summaries or analyses of data not included in any report, survey or compilation of data prepared by the Department shall be in writing and include a protocol which meets the requirements of Section 840.30(b) of this Part.

- b) Fees shall be assessed based upon the following:

- 1) Cost of data processing and programming;
- 2) Cost of administrative and clerical processing;
- 3) Cost of supplies and materials, if any; and

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4) Cost of postage.

c) Upon receipt of the written request, the Department shall estimate the amount of the fee calculated in accordance with subsection (b). Payment of 50 percent of the estimated fee shall be rendered prior to initiating the project requested. All payments are nonrefundable.

d) Full payment of the final assessed fee shall be rendered upon receipt of the final statement of fee assessment and prior to receipt of the requested data.

e) Failure to submit the full assessed fee within 60 days of the final statement of fee assessment shall be deemed a withdrawal of the request. The Department shall refuse future requests from a requestor who has not paid assessed fees.

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

SUBPART B: ILLINOIS STATE CANCER REGISTRY

Section 840.110 Information Required to be Reported

- a) A facility required to submit information shall report each cancer incidence and other tumorous and precancerous disease, as specified in this section, to the Department.
- b) This information to be reported shall be provided upon forms supplied by the Department. The facility shall abstract information from the cancer patient's record onto the standard forms supplied by the Department. The information to be reported is divided into six ~~five~~ subject areas, each containing a particular set of information. The ~~six~~ five subject areas of the incidence report shall include the following areas:

- 1) Reporting Information - This area provides information concerning the type of report being submitted; whether a new report, a change to be made on an existing report, or a deletion of a previously submitted report. It also includes the abstractor identification code and the date the abstract is completed along with the abstract number.
- 2) Patient Data and Resident Address - This area contains the patient's full name (including maiden name, when applicable and available), the patient's Social Security number, and the patient's residential address.
- 3) Personal Data - This area contains other personal data:

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patient's birthdate, age, sex, race, Hispanic origin, birthplace, usage history of tobacco and alcohol, current or most recent occupation and industry, and longest lifetime occupation and industry.

4) Diagnosis Data - Information concerning the patient's diagnosis of cancer(s) is collected in this area. This information consists of: initial diagnosis date, method of diagnosis, primary site, laterality morphology, stage of disease, existence of other reportable primary diseases, first course cancer directed therapy, and specification of previous cancer sites and dates of diagnoses.

5) Facility Data - This area provides information on the reporting facility: the facility identification number provided by the Department of Public Health if available, outpatient status, the case identification type, discharge date and status, and class of case.

6) Follow-Up Data - Information concerning the patient's alive or deceased status. This information consists of: date of last follow-up or death, follow-up status, type of follow-up, cause of death, and whether patient information is incomplete.

c) For facilities without existing tumor registries copies of the pathology report(s) and hematology report(s) shall be provided in cases confirmed by laboratory analysis.

d) Each patient's cancer incidence report form shall be sent within six months of the date of diagnosis or within four months of the date of discharge from the reporting facility, whichever is sooner. Reporting facilities shall report by letter to the Department by each July 1, the status of the completeness of reporting of cancer incidence cases diagnosed through December of the preceding year.

e) Every hospital, clinical laboratory, ambulatory surgical treatment center and other facility shall provide representatives of the Department with access to information from all medical, pathological, and other pertinent records and logs related to cancer incidence.

f) Every hospital, ambulatory surgical treatment center, clinical laboratory and other facility shall provide access to information regarding specified cancer patients or other patients specified for research studies related to cancer prevention and control conducted by the Department and which have been approved after appropriate review by the Department for assuring protection of human subjects. (42 CFR 2A, pars. 4a-j, 6a-b, 7a-b1).

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(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840.115 Methods of Reporting Cancer Registry Information

- a) All patients identified at a reporting facility, whether as an inpatient or outpatient, who meet one of the two following criteria are reportable to the Registry:

- 1) Patients with a newly diagnosed cancer, who have within six months after diagnosis, received cancer directed treatment or refused treatment.

AGENCY NOTE: Because of the possibility of one patient being diagnosed or treated in more than one facility, it is necessary to make the determination if the patient is still classified as "newly diagnosed." For example, if a patient is first diagnosed and definitively treated in Hospital A in February, 1986, but was then referred to Hospital B in April, 1986, for further definitive treatment for that cancer, that patient would be a reportable case for Hospital A and B.

- 2) Patient with cancer diagnosed through autopsy.

- b) A patient is considered to have a malignant neoplasm when a licensed physician, or dentist, indicates that he/she does. Otherwise, the following terminology, when applied to a malignancy, shall be interpreted as indicating involvement by a cancerous tumor:

- 1) Presumed;
- 2) Probable,
- 2a) Consistent with,
- 3a) Compatible with,
- 4a) Suspected,
- 6) Most-likely;
- 5) Extension or invasion 'to', 'onto', 'into', 'out onto'.

- c) The following terminology, when applied to a malignancy, shall be interpreted as indicating non-involvement by a cancerous tumor:

- 1) Questionable,
- 2) Possible,

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- 3) Suggests,
- 4) Equivocal,
- 5) Rule Out,
- 6) Very Close To.

- d) Determination of whether or not a given primary tumor is reportable shall be made by reference to the morphology codes (M-codes) of the INTERNATIONAL CLASSIFICATION OF DISEASES FOR ONCOLOGY (ICD-O).

- e) The specified cases of tumorous or precancerous diseases which shall be reported to the Registry are:

- 1) benign intracranial tumors, and

- 2) other conditions which the facility wishes to report.

- f) Cases of basal or squamous cell neoplasms of the skin (i.e., ICD-O codes T-173.0-173.9 with M8050 through M8110) shall only be reported when located in the following areas: penis, scrotum, anus, eyelid, and muco-cutaneous junctions of the lips, labia and vulva.

- g) There are two mechanisms by which a reporting facility can report cancer cases. These depend on whether or not the reporting facility maintains a cancer program and tumor registry:

- 1) OPTION #1. Facilities that maintain a cancer program and a tumor registry shall submit the incidence report form on diagnosed cancers to the Registry. The incidence report forms shall be submitted monthly in batches according to the schedule established by the Department. These facilities shall code the shaded boxes for primary site and morphology and shall specify clearly in writing in the space provided on the incidence report form, the primary site and morphology.
- 2) OPTION #2. All other facilities shall submit the incidence report form on diagnosed cancers to the Registry. The incidence report forms shall be submitted monthly in batches according to the schedule established by the Department. These reporting facilities shall staple the patient's cancer-confirming pathology report to the incidence report form shall specify clearly in writing in the space provided on the incidence report form, the primary site and morphology and shall not code the primary site or morphology.

- h) All reporting facilities are responsible for complete casefinding,

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which means identifying all first time reported cancer patients and completing an incidence report form for the Registry. Casefinding techniques shall be implemented through the review of the clinical record and pathology and cytology reports.

- 1) Any patient's clinical record identified with any of the following ICD-9-CM Diagnosis Codes by the Medical Record Department shall be reviewed for reportability to the Registry:

A) 140-208 Malignancies (10 & 20).

B) 211.8 Mesothelioma of Peritoneum.

C) 212.3 Adenoma of lung or bronchus.

D) 212.4 Mesothelioma of Pleura.

E) 230-234 Carcinoma-in-situ - all sites.

F) 235-238 Neoplasms of uncertain behavior.

G) 239 Neoplasms of unspecified nature.

H) 273.3 Waldenstrom's macroglobulinemia.

I) V10.0-V10.9 Personal history of malignant neoplasms.

J) V58.0 Radiation therapy for malignancy.

K) V58.1 Maintenance chemotherapy.

L) V66.1 Convalescence following radiotherapy.

M) V66.2 Convalescence following chemotherapy.

N) V67.1 Follow-up exam following radiation therapy.

O) V67.2 Follow-up exam following chemotherapy.

P) V76 Special screening for malignant neoplasms.

- 2) All pathology and cytology reports from the facility with a positive morphologic diagnosis of cancer shall be reviewed for reportable neoplasms, including reports on inpatient and outpatient surgical resections and biopsy specimens, bone marrow biopsies, cytology specimens and autopsies.

- 3) Any conflict of interpretation of cancer incidence shall defer

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to the clinician's determination.

- i) All reporting facilities shall submit the incidence report form(s) on a monthly basis as described below:

1) All facilities with names beginning with the first letter of A-G shall report during the 1st week of the month.

2) All facilities with names beginning with the first letter H-N shall report during the 2nd week of the month.

3) All facilities with names beginning with the first letter S shall report during the 3rd week of the month.

4) All facilities with names beginning with the first letter O-Z (excluding S) shall report during the 4th week of the month.

(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840.120 Quality Control (Repealed)

- a) Reporting facilities shall be subject to review at least once each year for the purpose of assessing the quality and completeness of the cancer incidence reporting by the facility. The review consists of the following three components: The first component consists of the Department auditing the reporting facilities to determine if all newly diagnosed cases have been identified. The second component consists of the Department re-examining a sample of a reporting facility's medical records to determine the completeness and accuracy of information previously submitted to the Registry. The third component consists of the reporting facilities abstracting a sample of standard medical records to determine the uniformity of data collection at the request of the Department.

- b) A reporting facility shall, upon request of the Department within two years of submission, supply missing information if known, additional cancer confirming reports or clarify information previously submitted to the Department.

(Source: Repealed at 14 Ill. Reg. 5495, effective April 1, 1990)

SUBPART C: ADVERSE PREGNANCY OUTCOMES REPORTING SYSTEM

Section 840.200 Entities Required to Submit Information

- a) The Department requires all hospitals to report adverse pregnancy outcome incident information. The Hospital's Perinatal Review Committee established pursuant to 77 Ill. Adm. Code 640.70 or other

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committee established for the purpose of INTERNAL QUALITY CONTROL OR OF MEDICAL STUDY FOR THE PURPOSE OF REDUCING MORBIDITY OR MORTALITY OR IMPROVING PATIENT CARE shall collect and submit the required information to the Department. (Section 8-2101 of the Code of Civil Procedure, ~~111-Rev-Stat-1987-eh-110-par-8-2101~~).

- b) The Department requests, but does not require, the following facilities to report adverse pregnancy outcomes information concerning present or past residents of Illinois:

- 1) Hospitals outside Illinois, except the St. Louis perinatal centers, and hospitals maintained by the Federal Government or other governmental agencies within the United States.
- 2) Hospitals within the United States.

(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840.210 Adverse Pregnancy Outcomes Information Required to be Reported

- a) Every hospital shall participate in the Adverse Pregnancy Outcomes Reporting System by reporting each adverse pregnancy outcome incident to the Department.

- b) An adverse pregnancy outcome incident consists of any infant which meets one of the criteria set forth below prior to discharge from newborn hospitalization:

- 1) Discharge from a patient care unit or bassinets designated by the hospital to provide intensive care services requiring constant nursing services and continuous cardiopulmonary and other support services for infants with life threatening conditions (stay in the unit must exceed 24 hours);

- 2) Diagnosis of a positive urine toxicology for any drug and/or showing signs of drug toxicity or withdrawal.

- 32) Diagnosis with a congenital anomaly as defined by ICD-9-CM codes, ranging from 740.0 to 759.9;

- 43) A serious congenital infection;

- A) syphilis (ICD-9-CM 090)
- B) congenital infections (ICD-9-CM 771)

- 54) An endocrine, metabolic or immune disorder,

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- A) hypothyroidism (ICD-9-CM 243),
- B) adenogenital syndrome (ICD-9-CM 255.2),
- C) inborn errors of metabolism (ICD-9-CM 270 to 273),
- D) cystic fibrosis (ICD-9-CM 277.0), and
- E) immune deficiency disorder (ICD-9-CM 279.2);

65) A blood disorder;

- A) leukemia (ICD-9-CM 204 to 208),
- B) hereditary hemolytic anemias (ICD-9-CM 282),
- C) constitutional aplastic anemia (ICD-9-CM 284), and
- D) coagulation defects (ICD-9-CM 286);

76) Other conditions;

- A) neurofibromatosis (ICD-9-CM 237.7),
- B) retinopathy of prematurity (ICD-9-CM 362.21),
- C) chorioretinitis (ICD-9-CM 363.2),
- D) strabismus (ICD-9-CM 378),
- E) endocardial fibroelastosis (ICD-9-CM 425.3),
- F) occlusion of cerebral arteries (ICD-9-CM 434),
- G) fetal alcohol syndrome (ICD-9-CM 760.71),
- H) intrauterine growth retardation (ICD-9-CM 764.9), and
- I) cerebral lipidoses (ICD-9-CM 330.1);

- 87) A birthweight of less than 1501 grams; or

- 98) Diagnosis as a perinatal or neonatal death.

- 109) AGENCY NOTE: Fetal death (gestation greater than 20 weeks) is considered an adverse pregnancy outcome and will be included in the APORS database. However, fetal deaths do not have to be reported through APORS, because these deaths are already reported and compiled in the Department's Vital Records database. In addition, the products of induced abortions shall not be reported to APORS.

- c) The APORS will also be complemented with information from the Department's Vital Records database under the Vital Records Act ~~111-Rev-Stat-1987-eh-111-121-par-73-1-et-seq~~ and other Maternal and Child Health reports and submissions.

(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840.215 Methods of Reporting APORS Information

- a) The Adverse Pregnancy Outcomes Reporting System consists of one form of reporting. This reporting shall be on the forms provided by the

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Department or through electronic means compatible with the Department's data processing system. Every hospital shall develop procedures and policies for identifying reportable infant cases to APORS. (See Appendix B, Illustration A).

- b) The Infant Discharge Record (Appendix B, Illustration A) shall be completed by the hospital providing the highest level of care and distributed within seven days of discharge (See 77 Ill. Adm. Code 250.1820 and 77 Ill. Adm. Code 640 for explanation of levels of care). The form must be typed or completed in ball point pen. In addition, all dates must be entered in numeric form.

- c) The Infant Discharge Record shall be distributed in the following manner:

- 1) The original form (white copy) of the Infant Discharge Record must be sent to the Department's Division of Epidemiologic Studies, 605 West Jefferson, Springfield, Illinois 62702-9986;
- 2) The canary copy of each form must be sent to the Local Health Department or Health Agency in the county of the mother's residence;
- 3) The pink copy of each form must be sent to the patient's primary care physician;
- 4) The goldenrod copy may be retained by the reporting facility.

(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)

SUBPART D: OCCUPATIONAL DISEASE REGISTRY

Section 840.300 Entities Required to Submit Information

- a) The Department requires the following facilities to report the case's occupational disease incidence information:

- 1) Clinical laboratories registered, permitted or licensed by the State of Illinois and hospital laboratories for the blood lead level testing and data collection.
 - 2) Local health authorities and other facilities for the blood lead level testing and data collection.
- b) The Department requests clinical or hospital laboratories maintained by the federal government or other facilities within the United States report all incidence of the occupational disease being

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collected from its facility or from other data base sources to the Department. An agreement will be established between the Department and said facility for the purpose of collecting data on Illinois residents known to have the specified occupational disease determined by the Department to be reported or collected for the registry. These facilities, hospitals or clinical laboratories, include all those out-of-state certified by the Department or Occupational Safety and Health Administration (OSHA) to conduct elevated blood lead level testing.

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840.305 Information Required to be Reported

- a) Occupational Disease Registry shall consist of information on the following occupational disease incidence(s):

- 1) Asbestosis;
- 2) Silicosis;
- 3) Coal Worker's Pneumoconiosis, and
- 4) Elevated Blood Lead Levels (Lead Poisoning).

- b) Information of the occupational disease incidence(s) shall be collected in two ways.

- 1) Information concerning elevated blood lead levels (lead poisoning) shall be reported to the Department by the facilities specified in Section 840.300 of this Part.

A) The Department will contract with the local health authorities which agree to conduct interviews with patients cases, or attending physicians as needed to assure the accuracy and completeness of reports and will perform the activities or case follow-up for elevated blood lead levels above 25 mcg/dl set forth in subsection (B).

B) This agreement will contain requirements for the performance of the following activities or patient or case follow-up:

- i) trace the patient or case,
- ii) counsel the patient or case,
- iii) educate the patient or case, and
- iv) interview the patient or case for purposes of collecting, verifying or completing the information identified in subsection (b)(1) of this Section.

- v) submit completed reports to the Department within 15

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business days after receipt of the laboratory report for adult elevated blood lead analysis form.

- 2) Information concerning asbestosis, silicosis, and coal worker's pneumoconiosis shall be collected from existing reporting sources such as the Illinois Health Care Cost Containment Council data base through abstracts of medical records.

- c) The information to be reported shall be provided upon forms supplied by the Department. The facility shall abstract information for the occupational disease case's record onto the standard forms supplied by the Department. (See Appendix C) The information required in this Section does not apply to data supplied through existing data base sources.

- d) All completed forms are to be mailed to the Illinois Department of Public Health, Division of Epidemiologic Studies, Occupational Disease Registry, 605 West Jefferson Street, Springfield, Illinois 62761.

- e) Each case's occupational disease incidence report form shall be sent to the Department within 7 business days of the date of laboratory results. All data received from a registered, permitted or licensed clinical laboratory or hospital laboratory sent to a local health authority in Illinois or other facility shall be submitted to the Department within 3 business days of the date it is received by the local health authority or other facility.

- f) Every hospital, clinical or hospital laboratory, or other facility shall provide representatives of the Department with access to information including specified occupational disease cases or other cases specified for research studies related to occupational disease prevention and control. The Department will conduct studies of all medical, pathological, or other pertinent records and logs related to occupational disease incidence.

- g) Every hospital, clinical or hospital laboratory, or other facility shall provide the Department representatives with patient's name and attending physician's name for the purposes of follow-up on all laboratory and existing data base reports received by the Department.

- h) The mode of access and the time during which this access will be provided shall be by mutual agreement between the hospital, other reporting facilities and the Department. The Department shall not require hospitals and other reporting facilities to provide information on cases which are dated more than two years before the Department's request for further information. Any disputes regarding access shall be resolved by the hospital and the Department within 30

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days after requests for access have been denied.

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840.310 Methods of Reporting Occupational Disease

- a) All registered, permitted or licensed hospital laboratories, clinical laboratories, local health authorities or other facilities shall provide the Department with information on elevated blood lead level cases within 7 business days of receipt of results.

- b) Any person, clinical or hospital laboratory, hospital, or other facility required to report to the Department the specified occupational diseases shall use the terminology the Department has established. Otherwise, the following terminology shall be interpreted as indicating a reportable occupational disease:

- 1) Probable;
- 2) Consistent with;
- 3) Compatible with;
- 4) Suspected;
- 5) Extension or invasion 'to', 'onto', 'into', 'out onto'.

- c) If the following terminology is used to report occupational disease specified by the Department to be collected and submitted on forms in Appendix C, it shall be interpreted as being of a nature that is not necessary for reporting to the Department:

- 1) Questionable;
- 2) Possible;
- 3) Suggests;
- 4) Equivocal;
- 5) Rule Out;
- 6) Very Close to.

- d) Determination of whether or not a given condition is reportable shall be made by the use of the International Classification of Diseases - 9th Revision - Clinical Modification (ICD-9-CM) codes.

- e) The specified diagnosis of occupationally related diseases which shall be collected from existing sources data base are:

- 1) Asbestosis, ICD-9-CM code 501,
- 2) Coal Worker's Pneumoconiosis, ICD-9-CM code 500,
- 3) Lead Poisoning - (Elevated Blood Lead Level), ICD-9-CM code 984.0 - 984.9,
- 4) Silicosis, ICD-9-CM code 502.

f) All existing reporting sources data base provided to the Department shall use these ICD-9-CM codes for the purpose in consistency of data collection.

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840 Appendix A ISCR Incidence Report Form

[illegible]

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

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Section 840 Appendix B Forms and Instructions for APORS Reporting
Exhibit A Instructions for Completing Infant Discharge Record

- a) Reporting hospital and city. Print the name and city of your hospital. Do not enter the code; it will be entered by the Department.
- b) Delivery hospital and city. Print the name of the hospital or other location at which the birth occurred. For out-of-hospital births, identify the location by address or by description, e.g., "enroute to hospital". Print the city (and the state if not in Illinois) in which the birth occurred. Do not enter the code; it will be entered by the Department.
- c) Patient ID #. Enter the patient number used by your hospital which is unique to each admission. This number is usually assigned by the business office and may be different from the medical record number.
- d) (Infant's) Med Rec # (Medical Record Number). Enter the infant's medical record number.
- e) Adm date (admission date). Enter the date the infant was admitted to your facility. For deliveries which occurred within your facility, the admission date and delivery date will be identical.
- f) (Infant's) last name and first name. Print the name of the infant, last name first. The name entered here should be identical with the name on the birth certificate.
- g) Delivery (date). Enter the date of birth.
- h) AKA name (Also Known As). Print any other last name by which the infant is known.
- i) D/C Date (Discharge Date). Enter the date the infant was discharged from your facility. For infant deaths which occur within the hospital, use the date of death as the discharge date. Transfers should be treated as follows:
 - 1) For an infant transferred from one unit to another within your hospital (e.g., from newborn nursery to designated patient care unit to intermediate nursery), enter the date the infant was discharged from the facility.
 - 2) For an infant transferred from a Level III hospital to either a Level II or I, or from a Level II to a Level I, enter the date of transfer.

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- 3) For an infant transferred from one Level III to another, from one Level II to another, or from one Level I to another, only the hospital providing the higher level of care completes the Infant Discharge Record (at the time of discharge from their facility).
- 4) For an infant transferred from a Level I hospital to a Level II or III, or from a Level II to a Level III, only the higher-level facility completes the Infant Discharge Record (at the time of discharge from their facility).
- j) Sex. Check the appropriate box.
- k) Race. Check the appropriate box. Whenever possible, use the designation the parents feel is most appropriate for their infant.
- 1) Hispanic. Check the appropriate box. The infant should be designated as Hispanic if either parent is identified with that ethnic group. If no information is available, then check N/A, not available. Note: Be sure to mark both "Race" and "Hispanic" for all infants. Hispanic persons may belong to any race.
- m) Diagnoses. List all infant diagnoses and/or conditions including all congenital anomalies and genetic disorders. At least one entry must be made here. Do not enter the codes; they will be entered by the Department.
- n) Delivery type. Check the appropriate box to indicate whether the delivery was a vaginal delivery or cesarean section.
- o) Gestational age (GA). Enter the number of weeks spent in utero from conception to the time of birth.
 - 1) The Dubowitz Assessment of gestational age is the preferred method of determining GA.
 - 2) If the Dubowitz score is not available, record GA based on the last menstrual period (LMP).
 - 3) If GA based on LMP is not available, record GA based on general appearance of infant.
- p) Admit to a designated patient unit. Check the appropriate box to report whether the infant was admitted to a designated patient care unit. A designated patient care unit is as specified in Section 840.210(a)(1) of this Part, a unit or bassinets designated by the hospital to provide intensive care services requiring constant nursing services and continuous cardiopulmonary and other support.

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services for infants with life threatening conditions (stay in the unit must exceed 24 hours) as described in Section 849.210(a)(1)(i).

- q) Consult perinatal center (infant). Check Box 1 if an attending physician at a community hospital contacted a Perinatal Center regarding care of the infant and subsequently transferred the infant to the center. Check Box 2 if such a consultation was made without a transfer. Check Box 39 if no consultation was made. Check Box 9 if no information about a consultation is available. ~~or if no information about a consultation is available from the medical record or from another source.~~

- r) Consult perinatal center (maternal). Check Box 1 if an attending physician at a community hospital contacted a Perinatal Center regarding care of the mother and subsequently transferred the mother to the center. Check Box 2 if such a consultation was made without a transfer. Check Box 39 if no consultation was made. Check Box 9 if no information about a consultation is available. ~~or if no information about a consultation is available from the medical record or from another source.~~

- s Drug toxicity or withdrawal. Enter yes or no if there is an infant report of a urine toxicology or signs or symptoms of drug withdrawal.

- ts) Birthweight. Enter the infant's birthweight in grams.

- ut) Discharge Weight. Enter the weight (in grams) of the infant at the time of discharge.

- vu) Birth head (circumference). Enter the head circumference (in centimeters) of the infant at birth.

- wv) Discharge head (circumference). Enter the head circumference (in centimeters) of the infant at the time of discharge.

- xw) Birth length. Enter the crown-heel length (in centimeters) of the infant at birth.

- yx) Discharge length. Enter the crown-heel length (in centimeters) of the infant at the time of discharge.

- zy) (Mother's) last name, first name, maiden name. Print the last, first and maiden name of the infant's mother. Enter the maiden name even when it is identical with the last name. If married and maiden name is not known enter unknown.

- aa) (Mother's) Med Rec # (Medical Record Number). Enter the mother's

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medical record number assigned by the hospital of delivery, if available.

- bbaa) Father's last name and first (name). Print the name of the infant's father, if available.

- ccbb) Address. Print house number, street, city, and state of the infant's mother.

- ddee) County. Print the name of the county in which the mother resides. Do not enter the code; it will be entered at Illinois Department of Public Health.

- eeed) Zip. Enter the mother's zip code.

- ffee) Phone. Print the local phone number of the infant's mother, including area code.

- ggff) Marital status. Check the appropriate box to indicate mother's marital status.

- hhgg) Gravida. Enter total number of pregnancies, including the present pregnancy, of the infant's mother.

- iihh) Para. Complete each line as instructed:

F - Number of full term births.

P - Number of premature births.

A - Number of abortions, spontaneous and induced.

L - Number of living children.

All deliveries, including the newborn, are to be included in F, P, or A. The newborn must also be included in L if discharged alive from the reporting hospital.

- jjii) Age. Enter the mother's age at last birthdate.

- kkjj) Complications of pregnancy. Print all complications that were recorded as occurring during or as a result of the pregnancy. The following list provides examples of acute complication narratives. It is not inclusive of all pregnancy complications:

- 1) Chronic hypertension
- 2) Gestational diabetes
- 3) Juvenile onset diabetes
- 4) Third trimester uterine bleeding
- 5) Toxemia of all classes
- 6) Polyhydramnios or oligohydramnios

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- 7) Thrombo-embolic disease
- 8) Multiple pregnancy
- 9) Inappropriate fetal growth for gestational age
- 10) Persistent abnormal presentation
- 11) Postdate pregnancy
- 12) Premature rupture of membranes
- 13) Premature labor
- 14) Tumor or other obstruction of birth canal
- 15) Feto-pelvic disproportion
- 16) Active genital herpes

pppp) Other concerns. Describe any other concerns -- health, social, developmental -- the local public health nurse should know about when making a home visit. If the infant was discharged to a home other than the mother's, please specify the address and the name of the caretaker.

qqqq) RN contact at hospital and phone. Print the name and telephone number, including area code, of the reporting hospital. Print the name of the public health nurse making home visits to the patient.

rrrr) Contact person and relationship. Print the name of a friend, relative or other person who would know how to reach the infant's parents. Specify the exact relationship (mother, father, sister, uncle, friend, pastor) of the contact person to the infant's parents.

ssss) Address and phone. Print the contact person's house number, street name, city, state and telephone number, including area code in parentheses.

ttss) Family informed of LHN visit. Check whether the family has been informed that a local public health nurse will visit their home.

uuuu) LHN Agency. Print the name of the local health agency to whom the infant was referred for follow-up services. Refer to the local health agency in the county of the mother's residence. See the list of such agencies and the areas they serve, provided by the Department. Do not enter the code; it will be entered by the Department.

vvuu) Current support services. Check the appropriate box(es) to indicate the social services the infant's family is receiving, or will receive upon discharge, for this infant.

- 1) Check Box 1 if the family is receiving services for this infant from a community social service agency, or if a referral for such services has been made.
- 2) Check Box 2 if the Division of Services to Crippled Children is providing services to this infant, or if a referral to DSCC has been made.
- 3) Check Box 3 if the Department of Children and Family Services is providing services to the family for this infant, or if a

llkk) Discharge information.

- 1) Check Box 1 for infant death. List the cause of death under Diagnoses.
- 2) (Do not use Box 2; Department will identify fetal deaths from Fetal Death Certificates.)

- 3) Check Box 3 for an infant discharged to the mother's home or to any other family setting. If the infant is discharged to a family setting home other than the mother's, as shown in "Address" above, please explain in "Other Concerns" space below.

- 4) Check Box 4 to report transfer to another hospital, and specify the name and location (city) of that hospital. Do not enter the code; it will be entered at IDPH.

- 5) Check Box 5 to report discharge to any long-term care facility. Print the name and location of the facility.

- 6) Check Box 6 to report discharge to any public or private child services or welfare agency such as the Illinois Department of Children and Family Services (DCFS). Print the name and location of the agency. Send the first three copies of the Infant Discharge Record to IDPH. DO NOT distribute copies to the local health department or primary care physician.

mm++) Feedings. Check the appropriate box. If the infant is bottle feeding or on a nasogastric tube, specify formula type, frequency and amount of feeding.

nnmm) Infant D/C treatment (Infant discharge treatment). Print all specific treatments, excepting medications, for the infant upon discharge.

oooo) Infant medication. Print the names, dosages and route of

administration of all medications the infant is receiving upon discharge.

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referral to DCFS has been made.

- 4) Check Box 4 if the family is receiving services for this infant from any other agency, or if a referral for such services has been made. Specify the agency by name.
- 5) Check Box 5 if the family is receiving no support services for this infant.

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www) Primary care physician's name. Print the name of the infant's
    local primary care physician.

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xxww) Signature and title. Enter your name and title.

yyxx) Report date. Print the date the form is completed.

(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)

(Source: Amended at 14 Ill. Reg. 5495, effective April 1, 1990)

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Section 840 Appendix B Forms and Instructions for APORS Reporting Illustration B Maternal Supplement Abstract

MATERNAL SUPPLEMENT ABSTRACT

ABSTRACT NUMBER _____	AMNIOCENTESIS ID _____
SOCIAL SECURITY NUMBER _____	DOB _____
PUBLIC RECORDS	WEIGHT CHANGE LBS
1. YES	1. GAIN
2. NO	2. LOSS
3. RECORD N/A	3. RECORD N/A
4. NOT STATED	4. NOT STATED
CEASURES USED	NEEDLE USED
1. SPONTANEOUS	1. YES
2. STIMULATED	2. NO
3. STIMULATED	3. RECORD N/A
4. NOT STATED	4. NOT STATED
5. RECORD N/A	5. RECORD N/A
6. NOT STATED	6. NOT STATED
7. RECORD N/A	7. RECORD N/A
8. NOT STATED	8. NOT STATED
9. RECORD N/A	9. RECORD N/A
10. NOT STATED	10. NOT STATED
11. RECORD N/A	11. RECORD N/A
12. NOT STATED	12. NOT STATED
13. RECORD N/A	13. RECORD N/A
14. NOT STATED	14. NOT STATED
15. RECORD N/A	15. RECORD N/A
16. NOT STATED	16. NOT STATED
17. RECORD N/A	17. RECORD N/A
18. NOT STATED	18. NOT STATED
19. RECORD N/A	19. RECORD N/A
20. NOT STATED	20. NOT STATED
21. RECORD N/A	21. RECORD N/A
22. NOT STATED	22. NOT STATED
23. RECORD N/A	23. RECORD N/A
24. NOT STATED	24. NOT STATED
25. RECORD N/A	25. RECORD N/A
26. NOT STATED	26. NOT STATED
27. RECORD N/A	27. RECORD N/A
28. NOT STATED	28. NOT STATED
29. RECORD N/A	29. RECORD N/A
30. NOT STATED	30. NOT STATED
31. RECORD N/A	31. RECORD N/A
32. NOT STATED	32. NOT STATED
33. RECORD N/A	33. RECORD N/A
34. NOT STATED	34. NOT STATED
35. RECORD N/A	35. RECORD N/A
36. NOT STATED	36. NOT STATED
37. RECORD N/A	37. RECORD N/A
38. NOT STATED	38. NOT STATED
39. RECORD N/A	39. RECORD N/A
40. NOT STATED	40. NOT STATED
41. RECORD N/A	41. RECORD N/A
42. NOT STATED	42. NOT STATED
43. RECORD N/A	43. RECORD N/A
44. NOT STATED	44. NOT STATED
45. RECORD N/A	45. RECORD N/A
46. NOT STATED	46. NOT STATED
47. RECORD N/A	47. RECORD N/A
48. NOT STATED	48. NOT STATED
49. RECORD N/A	49. RECORD N/A
50. NOT STATED	50. NOT STATED
51. RECORD N/A	51. RECORD N/A
52. NOT STATED	52. NOT STATED
53. RECORD N/A	53. RECORD N/A
54. NOT STATED	54. NOT STATED
55. RECORD N/A	55. RECORD N/A
56. NOT STATED	56. NOT STATED
57. RECORD N/A	57. RECORD N/A
58. NOT STATED	58. NOT STATED
59. RECORD N/A	59. RECORD N/A
60. NOT STATED	60. NOT STATED
61. RECORD N/A	61. RECORD N/A
62. NOT STATED	62. NOT STATED
63. RECORD N/A	63. RECORD N/A
64. NOT STATED	64. NOT STATED
65. RECORD N/A	65. RECORD N/A
66. NOT STATED	66. NOT STATED
67. RECORD N/A	67. RECORD N/A
68. NOT STATED	68. NOT STATED
69. RECORD N/A	69. RECORD N/A
70. NOT STATED	70. NOT STATED
71. RECORD N/A	71. RECORD N/A
72. NOT STATED	72. NOT STATED
73. RECORD N/A	73. RECORD N/A
74. NOT STATED	74. NOT STATED
75. RECORD N/A	75. RECORD N/A
76. NOT STATED	76. NOT STATED
77. RECORD N/A	77. RECORD N/A
78. NOT STATED	78. NOT STATED
79. RECORD N/A	79. RECORD N/A
80. NOT STATED	80. NOT STATED
81. RECORD N/A	81. RECORD N/A
82. NOT STATED	82. NOT STATED
83. RECORD N/A	83. RECORD N/A
84. NOT STATED	84. NOT STATED
85. RECORD N/A	85. RECORD N/A
86. NOT STATED	86. NOT STATED
87. RECORD N/A	87. RECORD N/A
88. NOT STATED	88. NOT STATED
89. RECORD N/A	89. RECORD N/A
90. NOT STATED	90. NOT STATED
91. RECORD N/A	91. RECORD N/A
92. NOT STATED	92. NOT STATED
93. RECORD N/A	93. RECORD N/A
94. NOT STATED	94. NOT STATED
95. RECORD N/A	95. RECORD N/A
96. NOT STATED	96. NOT STATED
97. RECORD N/A	97. RECORD N/A
98. NOT STATED	98. NOT STATED
99. RECORD N/A	99. RECORD N/A
100. NOT STATED	100. NOT STATED

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

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Section 840 Appendix C Forms and Instructions for Occupational Disease Registry Instructions for completing The Laboratory Based Report of Adult Blood Lead Analysis

The Adult Elevated Blood Lead Analysis form should be completed for all blood lead test with concentrations 25 mcg/dl or greater on all persons 16 years of age and older. All laboratories in Illinois certified by the Illinois Department of Public Health and Occupational Safety and Health Administration (OSHA) to conduct a blood lead analysis are required to complete the Adult Elevated Blood Lead Analysis form.

1. THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH CASE NUMBER: The case number will be completed by the Illinois Department of Public Health.

2. DATE OF REPORT: Enter the month, day and year the form is being completed. Use two digits, e.g., 08/03 for month and date. For example, use four digits for year 1989.

CASE DATA

3. Complete the following information on the case's complete name (if unknown enter slashes in the space provided):

- LAST NAME: Enter the case's complete last name.
- FIRST NAME: Enter the case's complete first name.
- MIDDLE INITIAL: Enter the case's middle initial.
- MAIDEN NAME: If applicable, enter the case's complete maiden name.

ADDRESS OF CASE: If information is available, complete the following elements on the form. Slashes should be entered in the space provided if unknown. All elements refer to domicile, i.e., the address from which the case may lawfully register to vote if proper age is attained.

- NUMBER: Enter the number of case's current street address.
- DIRECTION: Enter the direction which appears in the case's current street address, e.g. North, West.
- STREET NAME: Enter the name of the case's current street address.
- APARTMENT NUMBER: If applicable, enter the apartment number of the case's domiciled address.

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- TYPE: Enter the applicable type of street address, e.g. avenue, street, boulevard.
- CITY: Enter the complete name of the city in which the case currently is domiciled.
- STATE: Enter the state where the case currently is domiciled. Use the standard two digit abbreviations.
- ZIP CODE: Enter the five digit zip code where the case currently is domiciled.
- 4. COUNTY: Enter the complete name of the county where the case currently is domiciled.
- CODE: The Illinois Department of Public Health will complete the code.
- 5. TELEPHONE NUMBER: If available, enter the case's telephone number (area code and seven digit number). If unknown, enter slashes in boxes provided.
- 6. DATE OF BIRTH: If available, enter the date of birth for the case. Use two digits for the month and the date. Use four digits for the year. If unknown, enter slashes in boxes provided.
- 7. SEX: If available, enter the appropriate number for the sex of case in the box provided. Record 1 for a male, 2 for a female, 3 for other (includes hermaphrodites and instances of definitive sex change) and a 9 for unknown.

SUBMITTING PARTY DATA

- 8. NAME: Enter the name of the person, industry, physician, hospital, laboratory, clinic or other submitting the elevated blood lead sample to the laboratory to be analyzed.
- TITLE: Enter the title if applicable, of person submitting the elevated blood lead sample to the laboratory to be analyzed.
- 9. TELEPHONE NUMBER: Enter the telephone number of the submitting party (area code and seven digit number).
- 10. TYPE: Enter the type of party submitting the sample in the box provided. If a physician submits the elevated blood lead sample indicate by marking 1 in box. For industry mark 2 in box; for a hospital mark 3 in box; for a laboratory (private or public) mark 4 in box; for a clinic mark 5 in box; for other, e.g., nurse, other health care professional, judge; mark 6 in box and specify on the line provided.

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TESTING FACILITY DATA

- 11. NAME OF LABORATORY: Enter the name of the laboratory analyzing the blood lead sample. The laboratory code number will be completed by the Illinois Department of Public Health.
- 12. ADDRESS: Enter the address of the laboratory analyzing the blood lead sample including street number, direction and name.
- CITY: Enter the complete name of the city of laboratory analyzing the blood lead sample.
- STATE: Enter the two digit abbreviation of the state of the laboratory analyzing the blood lead sample.
- ZIP CODE: Enter the five digit zip code of the laboratory analyzing the blood lead sample.
- 13. LABORATORY TELEPHONE NUMBER: Enter the telephone number of the laboratory analyzing the blood lead sample.
- 14. TEST RESULTS: Enter the blood lead level of the sample in micrograms per deciliter (mcg/dl).
- 15. DATE SAMPLE COLLECTED: Enter the month, day and year the blood lead sample was collected, e.g., 08/03/1989. Use two digits for month and day. Use four digits for the year.
- 16. DATE SAMPLE RECEIVED: Enter the month, day and year the blood lead sample was received by the laboratory, e.g., 08/03/1989. Use two digits for month and day. Use four digits for the year.
- 17. DATE SAMPLE ANALYZED: Enter the month, day and year the blood lead sample was analyzed by the laboratory, e.g., 08/03/1989. Use two digits for month and day. Use four digits for the year.
- 18. SPECIMEN TYPE: Enter a 1 in the box provided if the specimen type is venous; and 2 if capillary and a 9 if unknown.
- 19. METHODOLOGY: Enter appropriate methodology used. Enter a 1 in the box for delves cup; a 2 for extraction - AAS; a 3 for carbon rod - AAS; a 4 for graphite furnace - AAS; a 5 for anodic stripping voltammetry; a 6 for hematofluorometry; a 7 for other methodology used and specify on the line provided.

On the line provided on the form, the signature of the person (first & last name), completing the form should be affixed. Enter the title of the person completing the form. Enter the date the completed form is mailed.

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Mail completed report within 7 business days to:

Illinois Department of Public Health
Division of Epidemiologic Studies
Occupational Disease Registry
805 West Jefferson Street
Springfield, IL 62761

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

Appendix C Forms and Instructions for Occupational Disease Registry
Exhibit B Instructions for Completing the Health Department Follow-up
Report of Adult Blood Lead Level Analysis For Results of 25
mcg/dl and Above (Local Health Authorities will use this form.)

The follow-up form should be completed for all persons 16 years of age and older having had a blood lead test done and analyzed at 25 mcg/dl or higher. Information from this form will be matched with the laboratory report of adult elevated blood lead level analysis form.

1. ILLINOIS DEPARTMENT OF PUBLIC HEALTH CASE NUMBER: The case number will be completed by the Illinois Department of Public Health

2. DATE OF REPORT: Enter the month, day and year the form is being completed, e.g., 08/03/1989. Use two digits for month and date and four digits for the year.

3. HEALTH DEPARTMENT FOLLOW-UP: If not already computer printed, enter the name of the health department completing the report, e.g., Cook County Health Department.

CASE DATA

4. NAME: Information for the case name will be extracted from the Laboratory Based Report of Adult Blood Lead Analysis form. The health department conducting the follow-up activities should verify, correct or complete the information at the time of the case interview.

• LAST NAME: Enter the complete last name of the case.

• FIRST NAME: Enter the complete first name of the case.

• MIDDLE INITIAL: Enter the middle initial of the case.

• MAIDEN NAME: If applicable, enter the maiden name of the case.

ADDRESS: If available, information for the case address can be extracted from the Laboratory Based Report of Adult Blood Lead Analysis form. The

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health department conducting the follow-up activities should verify, correct, or complete the information at the time of the case interview. All elements refer to domicile, i.e., the address from which the case may lawfully register to vote if proper age is attained.

• NUMBER: Enter the number of case's current street address.

• DIRECTION: Enter the direction which appears in the case's current street address, e.g., North, West.

• STREET NAME: Enter the name of the case's current street address.

• APARTMENT NUMBER: If applicable, enter the apartment number of the case's current address.

• TYPE: Enter the applicable type of street address, e.g. avenue, street, boulevard.

• LOCATION: If applicable, enter the location of the street address, e.g., N.E., N.W.

• CITY: Enter the complete name of the city where the case currently is domiciled.

• STATE: Enter the two digit state abbreviation where the case currently is domiciled.

• ZIP CODE: Enter the five digit zip code where the case's currently domiciled address applies.

• COUNTY NAME AND CODE: Enter the name of county where the case is domiciled. The Illinois Department of Public Health will enter the county code of the case's current address.

PERSONAL DATA

5. PHONE NUMBER: Enter case's telephone number (area code and seven digit number).

6. SOCIAL SECURITY NUMBER: Enter the case's nine digit social security number. If unknown, enter slashes in the boxes provided.

7. DATE OF BIRTH: Enter the case's month, day and year of birth, e.g. 08/03/1989. Use 2 digits for month & date and 4 digits for year.

8. SEX: Enter the case's sex in the box. Mark 1 if male, 2 if female, and 3 if other (includes hermaphrodites and instances of definitive sex changes), and 9 if unknown.

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9. RACE: Enter the case's race in the box. Mark 1 if White, 2 if Black, 3 if Asian American/Pacific Islander, 4 if American Indian/Alaskan Native, 5 if other and identify what type on the line provided and box 9 if unknown.

Black is defined as a person having origins in any of the black racial groups of the original people of Africa, and is not of Hispanic origin.

Asian American or Pacific Islander is defined as a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, i.e., China, Korea, the Philippine Islands or Samoa.

American Indian or Alaskan Native is defined as a person having origins in any of the original peoples of North America and who maintains culture identification through tribal affiliation or community organization.

White is defined as a person who is considered to be Caucasian.

10. HISPANIC ORIGIN: Hispanic is not considered a race. It is an ethnicity. Enter the appropriate number in the box identifying whether or not case is Hispanic. Mark 1 for yes, if yes, specify ancestry on line provided, mark 2 for no, and mark 9 for unknown. Hispanic Origin includes all Mexican, Puerto Rican, Cuban, South or Central America, and other Spanish people. Brazilians and Portuguese are not considered of Hispanic origin.

11. NUMBER OF CHILDREN UNDER 16 YEARS OF AGE LIVING IN THE CASE'S HOUSEHOLD: Enter the appropriate number of children living in the case's household in the box provided.

12. CASE OR OTHER IN HOUSEHOLD PREGNANT AT TIME OF DIAGNOSIS: If the case or other in household is pregnant at the time the elevated blood level sample is taken indicate by entering a 0 for not applicable (N/A), 1 for yes, if not pregnant enter a 2 for no, or if unknown enter a 9.

13. TRIMESTER OF PREGNANCY: If the case or other in household is pregnant at the time the elevated blood level sample is drawn enter the trimester by marking 1 for first, 2 for second, 3 for third. If not applicable, do not complete this element.

CASE OCCUPATION DATA

14. OCCUPATION: Enter the type of occupation which the case is currently or most recently employed. The Illinois Department of Public Health will complete the code.

15. INDUSTRY: Enter the type of industry which the case is currently or most recently employed. The Illinois Department of Public Health will complete

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the code.

16. IF CASE OR OTHER IN HOUSEHOLD IS PREGNANT, LIST CASE'S OCCUPATION DURING: (If applicable)

- Prior 3 months: Enter type of occupation case held 3 months before pregnancy. The Illinois Department of Public Health will complete the code.

- 1st Trimester: Enter the type of occupation case held at 1st trimester of pregnancy. The Illinois Department of Public Health will complete the code.

- 2nd Trimester: Enter the type of occupation case held at 2nd trimester of pregnancy. The Illinois Department of Public Health will complete the code.

- 3rd Trimester: Enter the type of occupation case held at 3rd trimester of pregnancy. The Illinois Department of Public Health will complete the code.

17. CASE REMOVED FROM WORK ENVIRONMENT: Enter 1 for yes - case was removed from work environment or 2 for no - case was not removed from work environment.

CASE EMPLOYER DATA

18. COMPANY NAME AND ADDRESS: Enter the name of the case's current or most recent employer at the time the blood test was drawn. The Illinois Department of Public Health will complete the code.

EMPLOYER'S ADDRESS (The work site of the case):

- NUMBER: Enter the number and direction of the case's current or most recent employer.

- STREET NAME: Enter the street name of the case's current or most recent employer.

- CITY: Enter the complete name of the city of the case's current or most recent employer.

- STATE: Enter the two letter abbreviation of the state (see attached list) of the case's current or most recent employer.

- ZIP CODE: Enter the five digit zip code of the case's current or most recent employer.

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COUNTY NAME AND CODE: Enter the county name of the case's current or most recent employer. Illinois Department of Public Health will complete the county codes.

19. EMPLOYER'S PHONE NUMBER: Enter the telephone number of the case's current or most recent employer (includes area code and seven digits).

SIGNATURE LINE: Enter the name (first and last) of the person completing the report. Enter the title of the person completing the report. Record on the line provided the date the completed report is mailed.

Mail completed form within 15 business days upon receipt of the Adult Elevated Blood Lead Report to:

Illinois Department of Public Health
Division of Epidemiologic Studies
Occupational Disease Registry
605 W. Jefferson Street
Springfield, IL 62761

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

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Section 840 Appendix C Forms and Instructions for Occupational Disease Registry
Illustration A Health Department Laboratory Report of Adult Elevated Blood Lead Analysis 25 mcg/dl and Above

**LABORATORY REPORT OF ADULT
ELEVATED BLOOD LEAD ANALYSIS 25 mcg/dl AND ABOVE**
(Please Print Firmly)

1. DPH Case Number		2. Reporting Date	
3. Name			
Last Name		First Name	
Middle (if Applicable)		Suffix	
City		State	
County Code		Zip Code	
4. County Name		5. Sex	
6. Phone Number		7. Date of Birth	
8. Date of Birth		9. Sex	
10. Type		11. Laboratory Name	
11. Laboratory Name		12. Address	
12. Address		13. Laboratory Telephone Number	
13. Laboratory Telephone Number		14. Test Results	
14. Test Results		15. Date Sample Collected	
15. Date Sample Collected		16. Date Sample Received	
16. Date Sample Received		17. Date Sample Analyzed	
17. Date Sample Analyzed		18. Specimen Type	
18. Specimen Type		19. Methodology	
19. Methodology		20. Signature of Person Completing Form	
20. Signature of Person Completing Form		Title	
Title		Date	

MAIL TO:
ILLINOIS DEPARTMENT OF PUBLIC HEALTH
OCCUPATIONAL DISEASE REGISTRY
605 WEST JEFFERSON STREET
SPRINGFIELD, IL 62761
TELEPHONE: (217) 785-1673

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

Section 840

Appendix C

Illustration C

Forms and Instructions for Occupational Disease Registry

Occupational Disease Registry Abstract

Information from the Illinois Health Care Cost Containment Council

HEALTH DEPARTMENT FOLLOW-UP REPORT OF ABOUT 1000 TO 1500 ANALYSIS FOR RESULTS OF 25, 50, 75, AND ABOVE (Please print clearly or type)									
2. DATE OF REPORT:		month		day		year		1.10PH case #	
3. HEALTH DEPT.		FOLLOW-UP:							
CASE DATA									
4. NAME:		last name		first name		middle initial		maiden(if applicable)	
ADDRESS		number		dir		street name		apt type loc	
CITY		state		zip code		country			
PERSONAL DATA									
5. PHONE NUMBER		area		number		10PH only			
6. SOCIAL SECURITY NUMBER:		7. SEX:		8. DATE OF BIRTH:		9. RACE:		10. INDUSTRY:	
1. Male		1. Male		1. 1/1/11		1. White		1. 1.10PH case #	
2. Female		2. Female		2. 2/2/11		2. Black		2. 2.10PH case #	
3. Other		3. Other		3. 3/3/11		3. Asian/Pacific Islander		3. 3.10PH case #	
4. Unknown		4. Unknown		4. 4/4/11		4. American Native		4. 4.10PH case #	
5. Unknown		5. Unknown		5. 5/5/11		5. Other:		5. 5.10PH case #	
6. Unknown		6. Unknown		6. 6/6/11		6. Unknown		6. 6.10PH case #	
CASE EMPLOYER DATA									
11. NUMBER OF CHILDREN UNDER 16 YEARS OF AGE LIVING WITH CASE:		12. CASE OR OTHER IN HOUSEHOLD FREQUANT AT TIME OF DIAGNOSIS:		13. TRIMESTER OF FREQUENCY:		14. EMPLOYER PHONE NUMBER:		15. COMPANY NAME:	
1. First		1. First		1. First		1. 1.10PH case #		1. 1.10PH case #	
2. Second		2. Second		2. Second		2. 2.10PH case #		2. 2.10PH case #	
3. Third		3. Third		3. Third		3. 3.10PH case #		3. 3.10PH case #	
4. Unknown		4. Unknown		4. Unknown		4. 4.10PH case #		4. 4.10PH case #	
CASE EMPLOYER DATA									
11. NUMBER OF CHILDREN UNDER 16 YEARS OF AGE LIVING WITH CASE:		12. CASE OR OTHER IN HOUSEHOLD FREQUANT AT TIME OF DIAGNOSIS:		13. TRIMESTER OF FREQUENCY:		14. EMPLOYER PHONE NUMBER:		15. COMPANY NAME:	
1. First		1. First		1. First		1. 1.10PH case #		1. 1.10PH case #	
2. Second		2. Second		2. Second		2. 2.10PH case #		2. 2.10PH case #	
3. Third		3. Third		3. Third		3. 3.10PH case #		3. 3.10PH case #	
4. Unknown		4. Unknown		4. Unknown		4. 4.10PH case #		4. 4.10PH case #	

MAIL TO: ILL. DEPARTMENT OF PUBLIC HEALTH
OCCUPATIONAL DISEASE REGISTRY
605 West Jefferson
Springfield, Illinois 62761
TELEPHONE NUMBER (217)785-1873

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

- 1) Coal Worker's Pneumoconiosis (ICD-9-CM Code 500)
- 2) Asbestosis (ICD-9-CM Code 501)
- 3) Silicosis (ICD-9-CM Code 502)
- 4) Lead Poisoning (ICD-9-CM Code 984.0-984.9)

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- 5) Acute Pesticide Poisoning (ICD-9-CM Code 989.3, 989.4)
 6) Skin Cancer of the Scrotum (ICD-9-CM Code 187.7)
 7) Hemangiosarcoma of the Liver (ICD-9-CM Code 155.0)
 8) Mesothelioma (ICD-9-CM Code 158.8 (Peritoneum), 163.0 (Pleura), 164.1 (Pericardium), 183.0 (Ovary)).
 9) Cancer of the Bladder (ICD-9-CM Code 188.0-188.9)
 10) History of Cancer
 A) Liver (ICD-9-CM Code V10.7)
 B) Lung (ICD-9-CM Code V10.1)
 C) Bladder (ICD-9-CM Code V10.5)
 D) Scrotum (ICD-9-CM Code V10.47)

(Source: Added at 14 Ill. Reg. 5495, effective April 1, 1990)

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part:
 Permit Application Fees
- 2) Code Citation:
 77 Ill. Adm. Code 1190
- 3) Section Numbers:
 1190.10
 1190.20
 1190.25
 1190.30
 1190.40
 1190.50
 1190.60
 1190.70
 1190.80
- Adopted Action:
 Amendments
 Amendments
 Added
 Amendments
 Amendments
 Amendments
 Amendments
 Amendments
- 4) Statutory Authority:
 Illinois Health Facilities Planning Act
 Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1151 et seq.
- 5) Effective Date of Rules:
 May 1, 1990
- 6) Does this Rulemaking Contain an Automatic Repeal Date? Yes ___ No X
 If "yes," please specify date:
- 7) Does this Rulemaking Contain Any Incorporations by Reference?
 Yes ___ No X
 If "yes," please specify type: 6.02(a) ___ or 6.02(b) ___
 If "6.02(b)," was a copy of the approval form issued by the Joint Committee attached to this rulemaking? Yes ___ No ___
- 8) Date Filed in Agency's Principal Office:
 May 1, 1990
- 9) Date Notice(s) of Proposal was Published in Illinois Register:

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

NOTICE OF ADOPTED AMENDMENTS

November 3, 1989 - 13 Ill. Reg. 16917

- 10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? Yes No X

If "yes," please complete the following:

- A) Statement of Objection: , Ill. Reg.
B) Agency Response: , Ill. Reg.
C) Date Agency Response Submitted for Approval to the Joint Committee:

- 11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

None

The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

None

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

- 13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes No X

- 14) Are there any other Amendments Pending on this Part? Yes No X

If Yes:

Section Numbers Proposed Action Ill. Reg. Citation

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Rules:

Amendments to revise definition of project cost in order for all costs to be used consistently.

- 16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Mr. Robert John Kane, Division of Governmental Affairs, Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH
 CHAPTER II: DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES
 PLANNING BOARD
 SUBCHAPTER b: OTHER BOARD RULES

PART 1190
 PERMIT APPLICATION FEES

Section	Statutory Authority and Public Hearings
1190.10	Initial Fee Deposit
1190.20	Fee Payment
1190.25	Assessment of Fees
1190.30	Gatekeeping of Total Estimated Cost of the Project
1190.40	Fees Related to Modification of an Application or Alteration of a
1190.50	Permit Which Results in an Increased Estimated Cost of the
	Project
1190.60	Obligation Requirements Reevaluation and Cost Overrun
1190.70	Permit Renewal or Extension
1190.80	Applications for Exemptions

AUTHORITY: Implementing and authorized by Section 12(8) of the Illinois Health Facilities Planning Act (111. Rev. Stat. 1987b, ch. 111 1/2, par. 1162(8)).

SOURCE: Filed June 21, 1976; amended at 5 Ill. Reg. 4999, effective April 22, 1981; amended at 6 Ill. Reg. 11634, effective September 9, 1982; amended at 7 Ill. Reg. 6969, effective May 13, 1983; codified at 8 Ill. Reg. 12458; amended at 12 Ill. Reg. 10514, effective June 7, 1988; amended at 14 Ill. Reg. 5550, effective May 1, 1990.

AGENCY NOTE: "The Illinois Department of Public Health does not discriminate on the basis of handicap in admission or access to, or treatment or employment in its programs and activities in compliance with Section 504 of the Rehabilitation Act of 1973, as amended. The Equal Employment Opportunity Officer is responsible for coordination of compliance efforts Voice (217) 785-2034; TDD (217) 785-2088."

Section 1190.10 Statutory Authority and Public Hearings

- a) This Part is prepared and promulgated by authority granted to the Illinois Department of Public Health (agency) and to the Illinois Health Facilities Planning Board (State Board) under Section 12(8) of the Illinois Health Facilities Planning Act (The Act) (111. Rev. Stat. 1987b, ch. 111 1/2, par. 1162). Specifically cited is Section 12(8) of the Act which provides that the State Agency shall "CHARGE AND COLLECT FROM THE PERMIT APPLICANT AN AMOUNT DETERMINED BY THE STATE BOARD TO BE A

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

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REASONABLE APPLICATION FEE FOR THE PROCESSING OF THE APPLICATION BY THE STATE BOARD, THE AGENCY AND THE APPROPRIATE RECOGNIZED AREA-WIDE HEALTH PLANNING ORGANIZATION. THE AGENCY, WITH THE APPROVAL OF THE STATE BOARD, SHALL SET THE AMOUNT BY REGULATION. ALL FEES COLLECTED UNDER THE PROVISION OF THE ACT SHALL BE DEPOSITED WITH THE STATE TREASURER INTO THE ILLINOIS HEALTH FACILITIES PLANNING FUND, WHICH IS HEREBY CREATED AS A SPECIAL FUND IN THE STATE TREASURY, TO BE USED FOR THE EXPENSES OF ADMINISTERING THIS ACT. THE STATE BOARD SHALL SET THE AMOUNT BY REGULATION. ALL FEES COLLECTED UNDER THE PROVISIONS OF THIS ACT SHALL BE DEPOSITED WITH THE STATE TREASURER.

- b) Public Hearings on this Part were held in accordance with the provisions of Section 12 of the Act. The Executive Secretary maintains a record of the Public Hearings and copies of the records are available for public inspection at the Official Headquarters of the State Board at 535 East West Jefferson Street, Springfield, Illinois 62761.

(Source: Amended at 14 Ill. Reg. 5550, effective May 1, 1990)

Section 1190.20 Initial Fee Deposit

- a) An initial fee deposit of \$700 must accompany each application for permit submitted to the State Board Agency unless the project is not subject to a fee pursuant to Section 1190(b) for a partial or total disqualification of a facility or category of service for which there is no project cost. No application for permit shall be deemed complete (as per the provisions of 77 Ill. Adm. Code 1130.1160) until this initial fee deposit is paid. Upon the application being deemed complete, the Executive Secretary shall then review the total estimated cost of the project in order to determine the full amount of the fee to be paid. If any additional balance is due, the applicant shall be advised in writing and is expected to make payment of the balance of the fee within 30 days of the receipt of the notice of amount due. The State Board will not place any reviewed application on its docket for action until payment of the full fee due has been received and no permit shall be approved or issued on any application for permit on which the correct fee amount has not been paid. Applications shall be declared null and void if the total application fee has not been paid within 60 days of being deemed complete.

- b) Fee payments shall be made in the form of a check or money order made payable to the Illinois Department of Public Health.

(Source: Amended at 14 Ill. Reg. 5550, effective May 1, 1990)

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Section 1190.25 Fee Payment

Fee payments shall be made in the form of a check or money order made payable to the Illinois Department of Public Health.

(Source: Added at 14 Ill. Reg. 5550, effective May 1, 1990.)

Section 1190.30 Assessment of Fees

- a) All projects, except those not subject to a fee pursuant to Section 1190.30(b), ~~including total discontintuation of a facility or a category of service where there is a project cost~~ are required to submit a fee for an application for permit. Fees shall be assessed in the following manner. For each project having a total estimated cost (calculated as per Section 1190.40a) of:

- 1) Less than \$250,000, then the application fee shall be \$700;
- 2) \$250,000 to \$10,000,000 inclusive, then the application fee shall be \$200 plus 0.2 of one (1) percent of the total estimated cost of the project (Total Estimated Cost of the Project X .002 + \$200 = Amount of Application Fee). The range of fees shall therefore be from a \$700 minimum on a \$250,000 (or less) project up to a maximum of \$20,200 on a \$10,000,000 project;
- 3) \$10,000,000 to \$30,000,000 inclusive, then the application fee shall be \$20,200;
- 4) More than \$30,000,000, then the application fee shall be \$25,200.

- b) Projects classified as emergency; any projects submitted by any department, board, agency or other entity of the State of Illinois for construction or modification of its health care facilities; and/or those projects for partial or total "discontinuation" of a facility or "Category of Service" where there is no project cost, shall not be charged a fee.

(Source: Amended at 14 Ill. Reg. 5550, effective May 1, 1990.)

Section 1190.40 Calculation of Total Estimated Cost of the Project

- a) The total estimated cost of the project is the sum of all costs to be incurred to complete the project. The total estimated cost of the project shall include all:

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

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- 1) Preplanning costs;
- 2) Site survey and soil investigation fees;
- 3) Site preparation costs;
- 4) Off-site work;
- 5) Construction contracts and contingencies (including demolition);
- 6) Capital equipment in construction contracting;
- 7) Architect's fees;
- 8) Consultants and other fees for professional assistance on the proposed project;
- 9) Capital equipment not in construction contracts;
- 10) Bond issuance expenses;
- 11) Net interest expense during construction; and
- 12) All other costs which are to be capitalized.

When a project or any component of a project is to be accomplished by lease, donation, gift or any other means, the fair market value or dollar value which would have been required for purchase, construction, or acquisition shall be included in the total estimated cost of the project.

- a) For purposes of this Part and for purposes of fee calculation only, the "Total Estimated Cost of the Project" shall be the sum of any or all of the following costs which are applicable to the project for which the application for permit is being made:

- 1) Construction contracts;
- 2) Contingencies;
- 3) Architect's fees and other fees; and/or
- 4) Capital Equipment (fixed equipment not reflected in the construction contracts and major movable equipment);

- b) The applicant shall submit documentation as to the fair market or dollar value of a project or component of a project.

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Documentation of fair market value includes:

- 1) for equipment which is to be leased, statements from the manufacturer(s) as to the purchase price of the equipment;
- 2) for equipment or other real property which will be a gift or donated, a statement from the donor attesting to the dollar value reported to the Internal Revenue Service pursuant to IRS Code Document 170;
- 3) for existing property (other than equipment) which is to be leased, copies of an appraisal performed by a certified appraiser or copies of financial statements detailing actual construction costs if the property is less than three years old; or
- 4) for property (other than equipment) that is being or will be constructed and then leased, a statement from the lessor as to the anticipated costs of construction.

b) For any project which is to be accomplished by lease, gift or other means of acquisition, the dollar value for purposes of this Part, shall be the expenditure which would have been required for purchase.

e) The "estimated project cost" to be provided by the applicant under 77 Ill. Adm. Code 1230 or 1240 (Financial and Economic Feasibility Review and Evaluation Plans), if applicable, may differ from the total estimated cost of the project, as determined in accordance with this Section, and such costs specified in 77 Ill. Adm. Code 1230 or 1240 are not applicable in determining the fee amount.

cd) Appeal of the Executive Secretary's decision on any fee amounts and any related matters is to the State Board. Appeals must be accomplished in accordance with Section 1130.810, Declaratory Rulings. Any applicant wishing to appeal the Executive Secretary's decision should contact the Executive Secretary in writing and the Executive Secretary shall then schedule the applicant to appear before the entire State Board at the next applicable State Board Meeting. The applicant shall then have an opportunity to make an appeal.

de) Fee payments are not refundable and are deposited in the Health Facilities Planning Fund. They may be recovered in full or in part only by petitioning the Illinois Court of Claims for recovery.

(Source: Amended at 14 Ill. Reg. 5550, effective May 1, 1990)

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Section 1190.50 Fees Related to Modification of an Application or Alteration of a Permit which Results in an Increased Estimated Cost of the Project or a Change in Scope

- a) If, during the course of the Review Period, a modification is made in the application for permit which results in an increased "Total Estimated Cost of the Project", the fee shall be recalculated on the basis of the revised cost estimate. Payment of any additional fee amount due, shall be made by the applicant upon receipt of notification. No action on the application will be taken by the State Board until all fees are paid.
- b) If, after a permit has been issued, the permit holder proposes to modify or alter a project per Part 1130.160, a processing fee shall be assessed for the review of the modification or alteration. The fee amount shall be (1) \$500 if the proposed modification or alteration does not increase the project cost above the approved permit amount, or; (2) the greater of \$500 or .2 of one percent of the dollar amount of the project which exceeds the approved amount. A change in scope is any alteration of a project for which a permit has been approved and issued by the State Board as detailed in Section 1160.70.

(Source: Amended at 14 Ill. Reg. 5550, effective May 1, 1990)

Section 1190.60 Obligation Requirements, Revalidation and Cost Overrun

- a) A person holding a permit approved under the requirements of Part 1130 must receive an authorization to obligate per Section 1130.720 prior to obligation of the project. If the total estimated cost of the project at the time of review for authorization exceeds the permit amount, the application processing fee shall be recalculated on the basis of the revised estimated cost. If at the time of the review, the permit holder also proposes an alteration of the project which requires State Board review, the processing fee shall be assessed in accordance with the provision of Section 1190.50(b), Alterations.

a) If after a permit has been issued, the project cost at the time of revalidation pursuant to Parts 1230 or 1240 exceeds the permit amount, the fee shall be recalculated on the basis of the revised cost estimate.

b) Permit holders who have obligated the project prior to receipt of an authorization to obligate shall be assessed a processing fee of the greater of \$500 or .2 of one percent of the project cost in excess of that approved by permit. This fee must be submitted prior to State Board review of the authorization request.

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- b) ~~Permit holders with project costs which exceed the cost overrun provisions of Parts 1230 or 1240 shall be assessed an additional application fee for the review of the cost overrun. The fee shall be the greater of \$500 or 2% of one percent of the revised project cost which exceeds the invalidated permit amount.~~
- c) ~~Any project costs which exceed the originally approved permit amount by more than ten percent or which exceed a revised permit amount approved by the State Board pursuant to the alteration provisions of Part 1130 are cost overruns and are without permit unless subsequently approved by the State Board. Processing fees for review of any cost overruns shall be assessed in accordance with the provision of Section 1190.50(b), Alterations.~~

AGENCY NOTE: Payment of the processing fee shall not preclude the State Board from pursuing the sanction available under the Act or pursuing other available remedies for failure of the permit holder to comply with the provisions of Part 1130.

(Source: Amended at 14 Ill. Reg. 5550, effective May 1, 1990)

Section 1190.70 Permit Renewal or Extension

Projects which have been approved and which apply for an extension of the obligation period or renewal of a permit shall be assessed an application processing fee of \$500 for the review of the project.

(Source: Amended at 14 Ill. Reg. , effective May 1, 1990)

Section 1190.80 Applications for Exemptions

Persons submitting applications for change of ownership or acquisition of major medical equipment exemptions shall be assessed an application fee of \$250 for the processing of the application. The State Board will not place any application for exemption on its docket for action until all required fees have been submitted.

(Source: Amended at 14 Ill. Reg. 5550, effective May 1, 1990)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of Part: Cancellation, Revocation or Suspension of Licenses or Permits.
- 2) Code Citation: 92 Ill. Adm. Code 1040
- 3) Section Numbers
1040.80
New Section
- 4) Statutory Authority: Sections 2-104(b) and 506.1 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 2-104(b) and 506.1), Sections 4(a) and 32 of the Illinois Identification Card Act (Ill. Rev. Stat. 1987, ch. 124, pars. 4(a) and 32), and 92 Ill. Adm. Code 1001.
- 5) Effective Date of Amendments: March 22, 1990
- 6) Does this rulemaking contain an automatic repeal date? Yes X No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: August 25, 1989.
- 9) Notice of Proposal Published in Illinois Register: 13 Ill. Reg. 14014 (September 8, 1989).
- 10) Has JCAR Issued a Statement of Objections to this Rule? No.
- 11) Differences between proposal and final version.

Pursuant to suggestions from the Administrative Code Division, Office of the Secretary of State, the following changes were made:

In the table of contents in the heading for Section 1040.30 the word "More" was capitalized. Also the listing for Section 1040.31 was removed since it is not yet adopted.

On the notice page "The full text of the proposed amendment begins on the next page" was added.

In the required question #9, the proposed action was changed from "Amendment" to "New Section."

In Section 1040.80(a), in line 2 of the definition of "Handicapped Identification Card," "Section 24(a)" was changed to "Section 4(a)." In subsection (c) of the same Section, on lines 9 and 10, the word "Driver's" was changed to "Driver."

NOTICE OF ADOPTED AMENDMENT(S)

Pursuant to suggestions by the Secretary of State, Joint Committee on Administrative Rules, the following changes were made:

At the end of paragraph a), the words "(see subsection (c))" were added.

In paragraph b), the language "Handicapped Identification Card" was added before the word "application" and the words "via affidavit" were added after the word "application" in the second sentence.

In the Table of Contents an "s" was added to the word "Suspension" in the title of Section 1040.46.

In the Source Note, the language "amended at 13 Ill. Reg. 7082" was changed to "amended at 13 Ill. Reg. 7802."

In paragraph (c), the first three sentences were changed to read as follows: "If the applicant holds a valid Illinois driver's license and indicates on his/her Handicapped Identification Card application via affidavit that his/her handicap is so severe that it precludes him/her from obtaining an Illinois driver's license, the Department shall request that the person submit a medical report to the Driver Analysis Section of the Department. If the medical report is favorable and indicates that the individual can safely operate a motor vehicle, the Handicapped Identification Card shall be cancelled. However, if the medical report indicates the individual cannot safely operate a motor vehicle, the Illinois driver's license will be cancelled. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-201(5).)"

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the Agreement Letter issued by JCAR? Yes.

13) Will this rule replace any Emergency Rule(s) currently in effect? No.

14) Are there any other amendments pending on this Part? No.

15) Summary and Purpose of Rule: This rulemaking sets forth the criteria for cancellation of a driver's license upon issuance of a Handicapped Identification Card.

16) Information and answers to questions regarding this Adopted Rule should be directed to:

Nancy S. Short
Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
Tel: 217/782-5356

The full text of the Adopted Rule begins on the next page.

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1040

CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Traffic Offense Table
1040.25	Cancellation, Revocation or Suspension for Driving Without a Valid Driver's License
1040.30	3 or More Traffic Offenses Committed Within 12 Months
1040.32	Suspension or Revocation of Licenses or Permits Used Fraudulently
1040.35	Commission of an Offense Requiring Mandatory Revocation Upon Conviction
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident and Personal Injury Suspensions
1040.48	Vehicle Emission Suspensions
1040.50	Suspension or Revocation of a License of Commercial Vehicle Driver
1040.55	Suspension or Revocation for Driver's License Classification Violations
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	National Driver Register
1040.80	Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card
1040.100	Rescissions
1040.101	Reinstatement Fees

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-201 et seq. and 6-700 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective

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December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 1, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 3664, effective February 27, 1990; amended at 14 Ill. Reg. 5560, effective March 22, 1990

Section 1040.80 Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card

- a) For purposes of this Section, the following definitions shall apply:

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Handicapped Identification Card" - a standard identification card as defined in Section 4(a) of the Illinois Identification Card Act (Ill. Rev. Stat. 1987, ch. 124, par. 4(a)) issued for no fee to persons who meet the definition of handicapped as defined in Section 1-159.1 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 1-159.1) or who have a handicap so severe that it precludes him/her from obtaining an Illinois driver's license (see subsection (c)).

- b) If a Handicapped Identification Card as provided in 92 Ill. Adm. Code 1030.91 is issued to someone who has a valid Illinois driver's license, the case shall be forwarded to the Driver Analysis Section of the Department for review and possible cancellation of the person's driver's license. If the person indicated on his/her Handicapped Identification Card application via affidavit that he/she has a handicap so severe that it precludes him/her from obtaining an Illinois driver's license, the driver's license shall be cancelled unless proof is offered which indicates that the Handicapped Identification Card was issued in error and should be cancelled.

- c) If the applicant holds a valid Illinois driver's license and indicates on his/her Handicapped Identification Card application via affidavit that his/her handicap is so severe that it precludes him/her from obtaining an Illinois driver's license, the Department shall request that the person submit a medical report to the Driver Analysis Section of the Department. If the medical report is favorable and indicates that the individual can safely operate a motor vehicle, the Handicapped Identification Card shall be cancelled. However, if the medical report indicates the individual cannot safely operate a motor

NOTICE OF ADOPTED AMENDMENT(S)

vehicle, the Illinois driver's license will be cancelled. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-201(5).) If the person wishes to contest the Departmental decision, he/she may request an administrative hearing pursuant to 92 Ill. Adm. Code 1001. If an individual does not submit the medical report after being requested to do so, his/her driver's license shall be cancelled, if one has previously been issued. This decision may also be contested in accordance with 92 Ill. Adm. Code 1001.

(Source: Added at 14 Ill. Reg. 5560, effective March 22, 1990)

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1) The Heading of the Part: Local Tourism and Convention Bureau Program

2) Code Citation: 14 Ill. Adm. Code 550

3) Section Numbers:
550.60
Emergency Action:
Amendment

4) Statutory Authority: Implementing Section 46.6a of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.6a) and Section 8.25 of "AN ACT in relation to State finance" (Ill. Rev. Stat. 1987, ch. 127, par. 144.25, as amended by P.A. 86-44, effective July 13, 1989) and authorized by Section 46.20 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.20).

5) Effective Date of Amendments: March 28, 1990

6) If these emergency amendments are to expire before the end of the 150 day period, please specify the date on which it is to expire: Not applicable.

7) Date Filed in Agency's Principal Office: March 28, 1990.

8) Reason for Emergency: The certification changes in this rulemaking are the result of a lengthy review of existing rules which involved the input of local governments and bureaus. All applicants must be certified prior to applying for funds and that certification deadline is March 31st. Since the review process was so lengthy the rules must be filed by emergency to ensure certification for the bureaus can begin for the new year. All bureaus and several potential applicants have been made aware of the changes we are making in this rulemaking.

The Local Tourism and Convention Bureau Program serves to generate increased hotel/motel occupancy and travel into and through the State. This in turn will lead to increased spending in the State that can enhance local economies and improve the welfare of Illinois citizens through the creation/retention of jobs, the generation of hotel/motel taxes to be used in the community, etc.

9) A Complete Description of the Subjects and Issues Involved: This rulemaking serves to revise provisions governing the certification of bureaus found in Section 550.60 of the "Local Tourism and Convention Bureau Program" rules. The certification process is the first step in the application process for ITCB Grant funds and provides the information necessary to determine applicants' potential grant amounts. Changes include a requirement that new applicants must have at least 500 hotel/motel rooms in their service area and a requirement that each applicant (new and previously certified) can only serve a maximum of three counties which must be contiguous. Both these requirements

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ensure that the program will be utilized as the destination marketing program which it was intended to be.

10) Are there any proposed amendments to this Part pending? No.

11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).

12) Information and questions regarding these amendments shall be directed to:

Mr. John D. Taylor, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration
620 East Adams Street, 5th Floor
Springfield, Illinois 62701
(217) 782-6136

The full text of the emergency amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 14: COMMERCE

SUBTITLE C: ECONOMIC DEVELOPMENT

CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 550

LOCAL TOURISM AND CONVENTION BUREAU PROGRAM

Section

550.10

Purpose

Definitions

550.20

Formula for Allocation of Appropriations to Grantees

550.30

Eligible Applicants

550.35

Program Requirements

550.40

Administrative Requirements

550.50

Application Process

550.60

EMERGENCY

AUTHORITY: Implementing Section 46.6a of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.6a) and Section 8.25 of "AN ACT in relation to State finance" (Ill. Rev. Stat. 1987, ch. 127, par. 144.25, as amended by P.A. 86-44, effective July 13, 1989) and authorized by Section 46.20 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.20).

SOURCE: Adopted at 9 Ill. Reg. 4775, effective April 4, 1985; amended at 12 Ill. Reg. 2226, effective January 19, 1988; amended at 14 Ill. Reg. 5091, effective March 20, 1990; emergency amendment at 14 Ill. Reg. 5565, effective March 28, 1990, for a maximum of 150 days.

NOTE: Capitalization denotes statutory language.

Section 550.60 Application Process

EMERGENCY

a) The application procedure consists of a three-step process:

1) Public notification by the Department of the amount of funds available for the LTCB program.

2) A request for certification.

3) An application for grant funds.

b) Each year on or about January 1, the Department shall publish, three separate times, with the first and last notification 10 days apart, in the official state newspaper, a notification which includes the following:

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1) Amount of funds available under the LTCB program as of July 1.

2) That applicants must contact the Department to obtain criteria for certification under the Act.

3) That applicants must submit a request by March 31 for certification by the Department as the entity entitled to receive those funds under the Act.

c) Request-for Certification

1) Any applicant seeking certification as a local tourism and convention bureau who has previously been certified through the Local Tourism and Convention Bureau Program Bureau seeking-the-Department's-certification-shall-submit-to-the-Department-each-year,-a-request-for-certification-which-includes-the-following: must be recertified each year by the Department.

A) An applicant must meet the following eligibility criteria in order to be considered for certification.

i) Have been a bureau in legal existence as of January 1, 1985, either as a unit of local government or incorporated as a not-for-profit corporation or organization;

ii) Represent one or more municipalities or counties, but not more than three counties. The counties must be contiguous to one another; and

iii) Employ one full-time paid professional executive director/chief executive officer that devotes all time to development and growth of tourism within the bureau's region.

B) An eligible applicant must submit the following material to be considered for certification:

i) a request for certification;

ii) articles of incorporation as a not-for-profit corporation organized prior to January 1, 1985 under the General Not-For-Profit Corporation Act (Ill. Rev. Stat. 1985, ch. 32, pars. 163a et seq.) or a statement/resolution signed by the head of the unit(s) of local government

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which the bureau represents;

B) a statement of its intent to apply for consideration of certification;

iii) a statement that it employs a full-time paid professional executive director/chief executive officer that devotes all time to development and growth of tourism within the bureau's region, prior to receiving State grant funds;

iv) a statement listing the city(ies), town(s) or county(ies) in its service area, including a current resolution from the governing bodies of these entities;

v) a complete listing of data on the number of current hotel/motels collecting the State's hotel/motel tax (including addresses and telephone numbers) within its service area and the number of rooms/units in each; and rooms in the proposed service area for consideration in the funding formula;

vi) a certified statement by the applicant's fiscal officer, accountant, or treasurer of local funds in the applicant's budget received in the fiscal year prior to certification which can be used for match for the State grant.

2) Any potential applicant, seeking certification as a local tourism and convention bureau who has not previously been certified in through the Local Tourism and Convention Bureau Program must be certified by the Department Program, seeking certification as a local tourism and convention bureau shall submit the materials described in subsections (c)(1)(A) through (E) and the following:

A) In order to be considered for certification, an applicant must meet the eligibility criteria specified in subsections (c)(1)(A)(i) through (iii). Additionally, in order to be eligible, their service area must contain at least 500 hotel/motel rooms eligible to collect the state's hotel/motel tax.

B) An eligible applicant must submit the following material to be considered eligible for certification:

i) a request for certification;

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ii) a statement including a description of its history, describing previous efforts to further the growth of the State's travel industry as evidenced by documentation of previous promotional activities prior to January 1, 1985 (e.g. brochures or pamphlets used to encourage visits or visitors to and through Illinois);

iii) a statement that it employs or intends to hire a full-time paid, professional executive director/chief executive officer that devotes all time to development and growth of tourism within the bureau's region prior to receiving State grant funds. This should include a summarization of their tourism related experience and a synopsis of their duties;

c) a certified copy of the financial report (e.g., year end audit) dated prior to January 1, 1985, to satisfy the program match requirement;

iv) articles of incorporation as a not-for-profit corporation organized prior to January 1, 1985, under the General Not-For-Profit Corporation Act (Ill. Rev. Stat. 1985, ch. 32, pars. 163a et seq.) or a statement/resolution signed by the head of the unit(s) of local government which the bureau represents;

v) a statement listing the city(ies), town(s) or county(ies) in its service area, including a current resolution from the governing bodies of these entities;

vi) a complete listing of hotels/motels, collecting the state's hotel/motel tax, (including address and telephone numbers), within its service area and the number of rooms/units in each;

vii) a certified statement by the applicant's fiscal officer, accountant, or treasurer of local funds in the applicant's budget received in the fiscal year prior to certification which can be used for match for the State grant; and

viii) documentation showing unsatisfactory representation if the proposed area of the new bureau is currently represented by an existing

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bureau.

- 3) Thirty (30) days after receipt deadline of all requests for certification under Section --558-69subsection(b) the Department shall send a notice to each applicant bureau seeking certification informing the bureau applicant of its status.

A) When a single local bureau seeks certification and has submitted all documentation required in subsections(c)(1) and (2), such bureau shall be certified by the Department and the Department shall send notification of certification, amount of potential funds available in the respective service area, and an application for grant funds.

B) When more than one local bureau seeks certification for the same city, town or county, the Department shall send each a request for proposal (RFP). Proposals shall require the following information which shall be given equal weight in the evaluation of each proposal:

- i) bureau's background, organization, experience and staff qualifications,
 - ii) a detailed marketing plan which includes such items as a description of activities contemplated by the bureau, objectives (long and short-term), methodology used to measure program effectiveness, intended audience, distribution targets for promotional materials, and projected economic impact and benefit to tourism, and
 - iii) any marketing or feasibility studies in support of the plan.
- C) Within fifteen (15) days of receipt of the RFP's, the Department shall notify in writing each local bureau of certification determinations.
- i) The Department shall send written notification of certification, amount of potential funds available in the respective service area, and an application for grant funds to the certified bureau, and notify all other applicants of the determination.

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- ii) A bureau which is not certified shall have the right to appeal the Department's certification decision to the Director within ten (10) calendar days after receipt of such notice. The request for review shall be submitted in writing to the Department and shall contain the reasons for appeal and any additional tourism related information the applicant chooses to submit in support of their appeal. The Director shall render a decision no later than fifteen (15) calendar days thereafter. The Director shall make his determination based upon his review of the information required by subsection(c)(3)(B) and any additional material submitted by the applicant with their appeal.

d) Application by Certified Bureaus for Funds Under the Act:

- 1) All certified bureaus shall complete an application for funding. The bureau shall retain one copy and submit three copies of the application to the Manager of the Local Tourism and Convention Bureau Program. Failure to provide any information requested in the application will result in the application not being processed. A certified bureau's application for funding under the Local Tourism and Convention Bureau Program must include the following information:

- A) Full-time local bureau executive director's name, salary, and length of employment with bureau.
- B) A marketing plan detailing all activities to be initiated and funded through the LTCB grant during the fiscal year.
- C) Objectives which identify actual end results to be achieved through the marketing plan within specific time frames.
- D) Performance indicators, and timelines which list the method of measuring objectives and time frames for completion of individual objectives.
- E) Targeted geographical and demographical audiences anticipated to be reached with specific programs.
- F) Method and location of distribution of printed promotional materials (e.g., Welcome Centers, Information Centers, direct mail, electronic media

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promotions, etc.).

- G) Economic impact indicators addressing the anticipated economic impact of the individual objectives of the marketing plan (e.g., the percentage of the increase of both business and tourist visitors to the area).
- H) Area to be served such as municipality(ies), county(ies), etc. All letters of designation from chief elected officials (e.g., mayors, city managers, county board chairpersons), etc., must be submitted with the original application.

- I) Itemized budget for activities proposed for funding under LTCB monies only.

- J) Local operating budget based on state fiscal year. Only match funds shall be reflected on this form.

- K) Name of the financial institution that serves as the depositor for LTCB grant funds.

- L) Fund account number for LTCB grant funds.

- M) Two names and sample signatures for those names which will be required to authorize all account transactions. Local Tourism and Convention Bureau grant funds must be deposited in an interest bearing account.

- N) Name and sample signature for individuals designated as authorized signatures for grant awards, invoice vouchers, and expenditure summary and payment request forms.

- 2) Upon receipt of applications from certified bureaus the Department shall review the applications and

- A) grant the full amount requested, or

- B) ask for additional information to clarify or document the information contained in the application, and/or

- C) reduce the amount of funds requested if there are not sufficient funds available to match the full amount, or the projects presented in the marketing plan do not focus on important tourism promotional activities and have little substance, i.e., no media promotions planned, no promotional materials being developed,

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the projects are not reasonable and are not consistent and workable and the applicant cannot effectively carry out the projects. In the event that funding of a grant request is lowered, the bureau(s) shall be entitled to appeal to the Director of the Department within 10 days. The request for review shall be submitted in writing to the Director and shall contain the reasons for appeal and any additional tourism related information the bureau chooses to submit in support of their appeal. The Director shall make his decision based upon the criteria previously specified in this subsection and any additional material submitted by the bureau with their appeal. The Department shall notify these bureaus in writing of its decision within 15 days of receipt of their appeal.

(Source: Emergency amendment at 14 Ill. Reg. 5585, effective March 28, 1990, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTS

- 1) The Heading of the Part: MEDICAL PAYMENT
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Emergency Action:
140.461 Amendment
140.462 Amendment
140.463 Amendment
- 4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, pars. 5-5.1 et seq. and 12-13)
- 5) Effective Date of Emergency Amendments: April 1, 1990
- 6) If these Emergency Amendments, are to expire before the end of the 150-day period, please specify the date on which they are to expire: Not applicable
- 7) Date Filed in Agency's Principal Office: April 1, 1990
- 8) Reason for Emergency: This rulemaking incorporates revisions to covered medical services provided needy individuals. As further delay in effectuating these changes would adversely impact on the health and welfare of affected persons, the Department has deemed this a situation requiring emergency action.
- 9) A Complete Description of the Subjects and Issues Involved: This rulemaking revises reimbursement methodologies for, and delineates covered services in, encounter rate clinics. Enrollment in the Medicaid Program is now opened to new encounter rate clinics. These revisions are required under the terms of the Omnibus Reconciliation Act of 1989.
- 10) Are there any Proposed Amendments pending to this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
140.24	Amendment	April 13, 1990 (14 Ill. Reg. 5417)
140.400	Amendment	February 2, 1990 (14 Ill. Reg. 1737)

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Section Numbers	Proposed Action	Illinois Register Citation
140.413	Amendment	March 30, 1990 (14 Ill. Reg. 4860)
140.420	Amendment	January 26, 1990 (14 Ill. Reg. 1570)
140.421	Amendment	January 26, 1990 (14 Ill. Reg. 1570)
140.435	Amendment	February 2, 1990 (14 Ill. Reg. 1737)
140.436	Amendment	February 2, 1990 (14 Ill. Reg. 1737)
140.475	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.476	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.477	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.478	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.479	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.480	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.481	Amendment	September 29, 1989 (13 Ill. Reg. 15281)
140.525	Amendment	November 17, 1989 (13 Ill. Reg. 17667)
140.526	Amendment	November 17, 1989 (13 Ill. Reg. 17667)
140.528	Amendment	November 17, 1989 (13 Ill. Reg. 17667)

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NOTICE OF EMERGENCY AMENDMENTS

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.542	Amendment	March 23, 1990 (14 Ill. Reg. 4415)
140.543	Amendment	March 23, 1990 (14 Ill. Reg. 4415)
140.544	Repealed	March 23, 1990 (14 Ill. Reg. 4415)
140.545	Amendment	March 23, 1990 (14 Ill. Reg. 4415)
140.565	Repealed	November 17, 1989 (13 Ill. Reg. 17667)
140.566	Repealed	November 17, 1989 (13 Ill. Reg. 17667)
140.567	Repealed	November 17, 1989 (13 Ill. Reg. 17667)
140.568	Repealed	November 17, 1989 (13 Ill. Reg. 17667)
140.642	Amendment	March 2, 1990 (14 Ill. Reg. 3019)
140.646	Amendment	March 23, 1990 (14 Ill. Reg. 4415)
140.647	Amendment	March 23, 1990 (14 Ill. Reg. 4415)
140.648	Amendment	March 23, 1990 (14 Ill. Reg. 4415)
140.649	Amendment	March 23, 1990 (14 Ill. Reg. 4415)
140.650	Amendment	March 23, 1990 (14 Ill. Reg. 4415)
140.652	Amendment	March 23, 1990 (14 Ill. Reg. 4415)

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<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.Table D	Amendment	January 26, 1990 (14 Ill. Reg. 1570)
140.Table H	Amendment	March 2, 1990 (14 Ill. Reg. 3019)

11) Statement of Statewide Policy Objectives: This rulemaking has no impact on local governmental bodies.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Flr.
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Emergency Amendments begin on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

- 140.1 Medical Assistance Programs
140.2 Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC,
140.3 Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy
140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5 Covered Medical Services Under GA and AMI
140.6 Medical Services Not Covered
140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Infants Under Age One Year
140.8 Medical Assistance For Qualified Severely Impaired Individuals
140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section

- 140.11 Enrollment Conditions for Medical Providers
140.12 Participation Requirements for Medical Providers
140.13 Definitions
140.14 Denial of Application to Participate in the Medical Assistance Program
140.15 Recovery of Money
140.16 Termination of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

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Section

- 140.18 Effect of Termination on Individuals Associated with Vendor
140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring Submittal of Claims
140.20 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
140.21 Magnetic Tape Billings
140.22 Payment of Claims
140.23 Payment Procedures
140.24 Overpayment or Underpayment of Claims
140.25 Payment to Factors Prohibited
140.26 Assignment of Vendor Payments
140.27 Record Requirements for Medical Providers
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13).

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; preemptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 1984; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended

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at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; preemptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; preemptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; preemptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill.

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Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.914 and 140.916 I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.207, Table A and 147.208, Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg.

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19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.461 Clinic Participation Requirements

EMERGENCY

a) Encounter Rate Clinics

- 1) Encounter rate clinics must be presently participating in the Medical Assistance Program; individual practitioners associated with such centers may apply for participation in the Medical Assistance Program in their individual capacities; federally qualified health centers which:

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Section 140.461
EMERGENCY

Clinic Participation Requirements (Cont'd)

- A) receive a grant under Section 329, 330 or 340 of the Public Health Service Act; or
- B) based on the recommendation of the Health Resources and Services Administration within the Public Health Service, are determined to meet the requirements for receiving such a grant.
- C) based on the recommendation of the Illinois Department of Public Health, are determined to meet the requirements for receiving such a grant.
- 2) Individual practitioners associated with such centers may apply for participation in the Medical Assistance Program in their individual capacities.
- b) Psychiatric Clinics
- Psychiatric clinics must have the appropriate facilities and qualified professional staff to meet the recipient's needs in the specialized care they have been established to provide.
- e) Speech-and-hearing-clinics-must-have-the-appropriate facilities-and-qualified-professional-staff-to-meet the-recipients-needs-in-the-specialized-care-they have-been-established-to-provide.

d) Rural Health Clinics

Rural health clinics must be certified by SSA as meeting the requirements for Medicare participation.

(Source: Emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days)

Section 140.462
EMERGENCY

Covered Services in Clinics

- a) Payment shall be made to clinics for the following types of services when provided by, or under the direction of, a physician:

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NOTICE OF EMERGENCY AMENDMENTS

Section 140.462
EMERGENCY

Covered Services in Clinics (Cont'd.)

- 1) Hospital-clinics-and-encounter-rate-clinics-Medical-services-which-provide-for-the-continuing health-care-needs-of-persons-who-elect-to-use this-type-of-service.
- a) Encounter rate clinic services, when delivered in a clinic setting as described in 42 CFR 440.90 (1988):
- 1) Physician's services, including required physician-supervised services of nurse practitioners and physician assistants.
 - 2) Medically-necessary services and supplies furnished as an incident to a physician's professional services, including:
 - A) medical case management;
 - B) laboratory services;
 - C) occupational therapy;
 - D) patient transportation;
 - E) pharmacy services;
 - F) physical therapy;
 - G) podiatric services;
 - H) psychological services;
 - I) services required to be provided by Section 329, 330 or 340 of the Public Health Service Act;
 - J) speech and hearing services; and
 - K) x-ray services.
- 2b) Psychiatric clinics:
- A) Control of medication;

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Section 140.462 Covered Services in Clinics (Cont'd.)
EMERGENCY

- B2) Individual therapy;
 E3) Family therapy;
 B4) Group therapy;
 B5) Counseling;
 F6) Electric shock treatment;
 G7) Diagnostic evaluation;
 3) Speech-and-hearing-clinics;
 A) Speech-evaluation;
 B) Speech-therapy;
 E) Hearing-evaluation;
 B) Audiologist's-services;
 4c) Rural health clinics:

A1) Physician's services, including required
 physician-supervisory physician-supervised
 services of nurse practitioners and
 physician assistants.

B2) Medically-necessary services and
 supplies furnished as an incident to a
 physician's professional services.

B) If-payments-made-under-the-approved-rate-exceed-the
 hospital's allowable-costs-as-determined-by-an-audit
 of-hospital's-cost-report-the-excess-shall-be
 refunded-to-the-Department

(Source: Emergency amendment at 14 Ill. Reg. 5575,
 effective April 1, 1990, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTS

Section 140.463 Encounter Rate Rates Clinic Payment
EMERGENCY

Payment shall be made at the lesser of:

- a) the entire approved-all-inclusive-interim-per
 encounter-rate-as-of-May-17-1981, or
 b) \$50.00 per encounter.
 a) Payment for encounter clinic services rendered after
 March 31, 1990 shall be made at an individual,
 all-inclusive, prospective per diem rate calculated on
 the basis of the Department's encounter rate
 methodology and audited provider fiscal information
 reported on forms specified by the Department and
 reflecting the actual costs of delivering encounter
 services listed in Section 140.462 (a)(2) of this Part.
 b) Until the Department's encounter rate methodology is
 developed, interim payment for covered clinic services
 rendered by encounter rate clinics enrolled as of
 March 31, 1990, shall be made at the individual
 provider's encounter clinic rate in effect on March
 31, 1990, as established by the Department.
 c) Until the Department's encounter rate methodology is
 developed, interim payment for covered clinic services
 rendered by encounter rate clinics enrolled after
 March 31, 1990, shall be made at the higher of:
 1) the provider's approved Medicare rate established
 by the designated Medicare intermediary for Rural
 Health Center and Federally Funded Health Center
 services; or
 2) the 75th percentile of the statewide range of the
 Department's encounter rates as of March 31, 1990.
 d) Payment shall be made at the interim encounter rate
 for covered clinic services rendered within 90 days of
 the later of:
 1) the certified mail date of provider receipt of
 the Department's cost reporting forms, or
 2) the date of provider enrollment.

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Section 140.463 Encounter Rate ~~Clinic~~ Clinic Payment
EMERGENCY (Cont'd.)

- e) When an individual cost-based rate has been established by the Department in accordance with the method described in subsection (a), the Department shall reconcile interim payments made for covered clinic services.
- 1) If the cost-based rate is higher than the interim rate, the Department shall pay the provider the rate differential for each encounter claim paid at the interim rate.
- 2) If the cost-based rate is lower than the interim rate, the provider shall refund to the Department the rate differential for each encounter claim paid at the interim rate, either by direct payment to the Department or as a credit applied against future encounter service claims.
- f) If the provider has not submitted the required audited fiscal information on forms specified by the Department within the time period specified in subsection (d), the Department shall suspend payment for covered clinic services until the required information has been received by the Department.
- g) The Department will not process a claim for payment of encounter clinic services rendered after June 30, 1990, that does not indicate all individual medical services delivered during the encounter, by procedure code.

(Source: Emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTS1) Heading of Part:

Ambulatory Surgical Treatment Center Licensing Requirements

2) Code Citation:

77 Ill. Adm. Code 205

3) Section Numbers:Emergency Action:

205.120	Amendments
205.125	Amendments
205.350	Amendments
205.520	Amendments
205.540	Amendments
205.710	Repeal; New Section
205.720	Repeal
205.730	Repeal
205.740	Repeal
205.750	Repeal
205.760	Repeal
205.1380	Amendments

4) Statutory Authority:Ambulatory Surgical Treatment Center Act
Ill. Rev. Stat. 1987, ch. 111 1/2, par. 157-8.1 et seq.5) Effective Date of Amendments:

March 26, 1990

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable7) Date Filed in Agency's Principal Office:

March 26, 1990

8) Reason for Emergency:

The adoption of these amendments on an emergency basis is necessary to implement the decision of the United States District Court for the Northern District of Illinois (Eastern Division) in Richard M. Ragsdale et al. v. Bernard J. Turnock et al. (Docket No. 85 C 6011). The decision enjoins the Department from enforcement of specific provisions of the Ambulatory Surgical Treatment Center Licensing Requirements. Adoption, implementation, and enforcement of these amendments is within the scope

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of the decision. Emergency adoption of these amendments will enable the Department to implement and enforce these requirements. The Department finds that continuation of the current lack of regulation of the facilities covered by these amendments would constitute "a threat to the public interest, safety or welfare" as provided in Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1005.02).

9) A Complete Description of the Subjects and Issues Involved:

The Department of Public Health is adopting changes in the licensing requirements for ambulatory surgical treatment centers on an emergency basis to implement requirements for surgical centers which only perform abortions and related procedures. These changes implement the court decision in *Ragsdale v. Turnock* which allows the Department to adopt, implement, and enforce licensing requirements for these surgical centers. These changes are also consistent with the Ambulatory Surgical Treatment Center Act.

These amendments create a separate classification of surgical centers which are limited to abortions and related procedures. Under these amendments, these centers will be classified as "pregnancy termination specialty centers." Specific exemptions and modifications of the licensing requirements will apply to these centers. The Department believes that these changes will provide adequate protection for patients of these centers, without imposing unnecessary barriers to the provision of these services.

Changes in Section 205.120 (application for initial licensure), Section 205.125 (application for license renewal), Section 205.350 (laboratory services), Section 205.520 (preoperative care), Section 205.540 (postoperative care), and Section 205.1380 (diagnostic facilities) will apply to all ambulatory surgical treatment centers. These changes address issues which were raised in relation to the impact on centers which only perform abortions and related procedures; however, the Department believes that the provisions were inaccurate, unduly restrictive, or unnecessary for all licensed centers and is making appropriate changes on that basis. For example, several of these changes reflect the recent changes in the requirements for laboratory testing under the Department's rules entitled "Illinois Clinical Laboratories Code" (77 Ill. Adm. Code 450).

The amendments include the replacement of most of the provisions of Subpart G with the special requirements for pregnancy termination specialty centers. The court has ruled that these provisions were unduly restrictive requirements which restricted access to abortion services. Several provisions which were located in Subpart G have been revised and relocated in Sections 205.520 and 205.540. The requirements in

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Section 205.520(d) were revised and relocated from Section 205.720(a)(1) and (a)(2). Similarly, the provisions in Section 205.540(b) and (g) were revised and relocated from Section 205.750(a) and (b). The revised provisions will apply to all pregnancy terminations performed in fully licensed ambulatory surgical treatment centers and in pregnancy termination specialty centers.

Section 205.710(a) defines pregnancy termination specialty centers and establishes conditions for their classification. These provisions limit these centers to procedures to terminate pregnancy performed within 18 weeks assessed gestational age and other gynecologic procedures related to the termination of pregnancy. These provisions also limit the types of anesthesia which may be used in these centers and specify the types of policies and procedures which may be established by these centers.

Section 205.710(b) contains the specific exceptions and modifications of the licensing requirements which apply to pregnancy termination specialty centers. Only the provisions specifically addressed in Section 205.710(b) are being relaxed or changed for these centers; all of the other licensing requirements will apply to these centers in the same manner in which they apply to fully licensed ambulatory surgical treatment centers.

These amendments are also being proposed for public comment and for permanent adoption through publication of a Notice of Proposed Amendments elsewhere in this issue of the Illinois Register.

10) Are there any Proposed Amendments Pending to this Part? No.

11) Statement of Statewide Policy Objectives:

This rulemaking does not affect local governmental units.

12) Information and Questions regarding these Emergency Amendments shall be directed to:

Mr. Robert John Kane
Division of Governmental Affairs
Illinois Department of Public Health
525 West Jefferson, Second Floor
Springfield, Illinois 62761
Telephone: (217) 782-6187

The full text of the Emergency Amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER b: HOSPITAL AND AMBULATORY CARE FACILITIES

PART 205

AMBULATORY SURGICAL TREATMENT CENTER LICENSING REQUIREMENTS

SUBPART A: GENERAL

Section

205.110

Definitions

205.115 Incorporated and Referenced Materials

205.118 Conditions of Licensure

205.120 Application for Initial Licensure

EMERGENCY

205.125 Application for License Renewal

EMERGENCY

205.130 Approval of Surgical Procedures

SUBPART B: OWNERSHIP AND MANAGEMENT

Section

205.210 Ownership, Control and Management

205.220 Organizational Plan

205.230 Standards of Professional Work

205.240 Policies and Procedures Manual

SUBPART C: PERSONNEL

Section

205.310 Personnel Policies

205.320 Presence of Qualified Physician

205.330 Nursing Personnel

205.340 Basic Life Support

205.350 Laboratory Services Ambulatory-Surgical-Treatment-Center

EMERGENCY

SUBPART D: EQUIPMENT, SUPPLIES, AND FACILITY MAINTENANCE

Section

205.410 Equipment

205.420 Sanitary Facility

SUBPART E: GENERAL PATIENT CARE

Section

205.510 Emergency Care

205.520 Preoperative Care

EMERGENCY

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205.530 Operative Care

205.540 Postoperative Care

EMERGENCY

SUBPART F: RECORDS AND REPORTS

Section

205.610 Clinical Records

205.620 Statistical Data

SUBPART G: LIMITED PROCEDURE SPECIALTY CENTERS
 ADDITIONAL REQUIREMENTS FOR FACILITIES IN WHICH
 OBSTETRIC/GYNECOLOGICAL PROCEDURES ARE PERFORMED

Section

205.710 Pregnancy Termination Specialty Centers Abortions

EMERGENCY

205.720 Personnel (Repealed)

EMERGENCY

205.730 General Patient Care (Repealed)

EMERGENCY

205.740 Preoperative Requirements (Repealed)

EMERGENCY

205.750 Postoperative Requirements (Repealed)

EMERGENCY

205.760 Reports (Repealed)

EMERGENCY

SUBPART H: PROCEDURES FOR INVESTIGATION OF COMPLAINTS

Section

205.810 Complaints

205.820 Acknowledgement of Complaint

205.830 Investigation

205.840 Prompt Investigation

205.850 Methods

205.860 Notification of Results

SUBPART I: BUILDING DESIGN, CONSTRUCTION STANDARDS, AND PHYSICAL REQUIREMENTS

Section

205.1310 Plant and Service Requirements

205.1320 General Considerations

205.1330 New Construction, Additions and Major Alterations

205.1340 Minor Alterations and Remodeling Changes

205.1350 Administration Department and Public Areas

205.1360 Clinical Facilities

205.1370 Support Service Areas

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205.1380 Diagnostic Facilities
 EMERGENCY
 205.1390 Other Building Services
 205.1400 Details and Finishes
 205.1410 Construction, Including Fire Resistive Requirements

SUBPART J: MECHANICAL

Section
 205.1510 General
 205.1520 Thermal and Acoustical Insulation
 205.1530 Steam and Hot Water Systems
 205.1540 Air Conditioning, Heating and Ventilating Systems

SUBPART K: PLUMBING AND OTHER PIPING SYSTEMS

Section
 205.1610 General
 205.1620 Plumbing Fixtures
 205.1630 Water System
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 205.1650 Identification

SUBPART L: ELECTRICAL

Section
 205.1710 General
 205.1720 Switchboards and Power Panels
 205.1730 Panelboards
 205.1740 Lighting
 205.1750 Receptacles (Convenience Outlets)
 205.1760 Grounding
 205.1770 Equipment Installation in Special Areas
 205.1780 Emergency Electric Service
 205.1790 Fire Alarm System

TABLE A
 General Pressure Relationships and Ventilation Rates of
 Ambulatory Surgery Area

AUTHORITY: Implementing and authorized by the Ambulatory Surgical Treatment Center Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 157-8.1 et seq.)

SOURCE: Amended July 18, 1974; emergency amendment at 3 Ill. Reg. 10, p. 43, effective February 23, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 30, p. 371, effective July 23, 1979; amended at 5 Ill. Reg. 12756, effective November 4, 1981; amended at 6 Ill. Reg. 6220, 6225, and 6226, effective May 17, 1982; amended at 6 Ill. Reg. 10974, effective August 30, 1982; amended at 6 Ill. Reg. 13337, effective October 20, 1982; amended at 7 Ill. Reg. 7640, effective June 14, 1983; codified at 8 Ill. Reg. 9367; amended

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at 9 Ill. Reg. 12014, effective July 23, 1985; amended at 10 Ill. Reg. 8806, effective June 1, 1986; amended at 10 Ill. Reg. 21906, effective January 15, 1987; amended at 11 Ill. Reg. 14786, effective October 1, 1987; amended at 12 Ill. Reg. 3743, effective February 15, 1988; amended at 12 Ill. Reg. 15573, effective October 1, 1988; amended at 13 Ill. Reg. 16025, effective November 1, 1989; emergency amendment at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days.

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL

Section 205.120 Application for Initial Licensure
 EMERGENCY

a) AN APPLICATION FOR LICENSE SHALL BE MADE TO THE DEPARTMENT ON FORMS PROVIDED BY THE DEPARTMENT (Section 5 of the Act). The application shall be submitted not less than sixty days prior to the date of intended operation and shall contain the information required under the Act and this Part.

b) The initial application shall include the following information:

1) The names and addresses of all persons who own the facility, any names under which any of these persons do business, and the type of ownership of the facility (for example, individual, partnership, corporation, or association). In addition, a corporation shall submit:

A) A copy of its certificate of incorporation.

B) A list of the title, name and address of each of its corporate officers.

C) A list of the name and address of each of its shareholders holding more than five percent of the shares.

2) The names and addresses of all persons under contract to manage or operate the facility.

3) The location of the facility.

4) Information regarding any conviction of the applicant, or if the applicant is a firm, partnership or association, of any of its members, or if the applicant is a corporation, of any of its officers or directors, or of the person designated to manage or supervise the facility, of a felony, or of two or more misdemeanors involving moral turpitude in the last five years.

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5) The name, address, telephone number, education, experience, credentials and any professional licensure or certification of the following persons:

- A) Administrator.
- B) Medical Director.
- C) Supervising Nurse.

utility, and safety codes.

c) THE APPLICATION SHALL BE SIGNED BY THE APPLICANT AND SHALL INCLUDE A VERIFICATION form acknowledging the application to be true and complete and certifying that the applicant has knowledge of and understands the action required to comply with the Act and licensing requirements. THE FORM SHALL BE VERIFIED BY A NOTARY PUBLIC. (Section 5 of the Act)

6) A list of the medical staff including name, address, telephone number, specialty and license number.

d) THE LICENSE APPLICATION SHALL BE ACCOMPANIED BY A LICENSE FEE OF \$500. (Section 5 of the Act)

7) A list of all staff personnel including name, address, telephone number, position, education, experience, and any professional licensure or certification.

(Source: Emergency amendment at 14 Ill. Reg. _____, effective March 26, 1990, for a maximum of 150 days)

8) A narrative description of the facility including but not limited to interviewing, examination, surgical and recovery room facilities.

Section 205.125 Application for License Renewal

EMERGENCY

9) A description of services to be provided by the facility including a list of surgical procedures to be performed subject to approval in accordance with the requirements of Section 205.13D.

a) Application for license renewal shall be submitted on forms provided by the Department. Application for license renewal shall be submitted to the Department not less than 30 days prior to the expiration date.

10) Documentation of compliance with Section 205.35D of this Part.

b) An application for license renewal shall include the following information:

11) A copy of the transfer agreement with a licensed hospital within approximately 15 minutes travel time of the facility or other documentation demonstrating compliance with Section 205.540(d) of this Part.

- 1) The names and addresses of all persons who own the facility, any names under which any of these persons do business, and the type of ownership of the facility (for example, individual, partnership, corporation, or association). In addition, a corporation shall submit:
 - A) A list of the title, name and address of each of its corporate officers.
 - B) A list of the name and address of each of its shareholders holding more than five percent of the shares.

12) A copy of the organizational plan of the facility (see Section 205.220).

2) The names and addresses of all persons under contract to manage or operate the facility.

13) Schematic architectural plans.

3) The location of the facility.

14) Documentation of a permit as required by the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1151 et seq.)

4) Information regarding any conviction of the applicant, or if the applicant is a firm, partnership or association, of any of its members, or if the applicant is a corporation, of any of its officers or directors, or of the person designated to manage or supervise the facility, of a felony, or of two or more

15) Documentation of compliance with all applicable local building,

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misdemeanors involving moral turpitude during the previous year.

- 5) The name, address, and telephone number of the administrator, medical director, and supervising nurse. In addition, the education, experience, credentials and any professional licensure or certification of these individuals must also be submitted if this information was not submitted with the initial application or a prior renewal application or if this information has changed since the prior submission.
- 6) A list of the medical staff including name, address, telephone number, specialty and license number.
- 7) A list of all staff personnel including name, address, telephone number, position, education, experience, and any professional licensure or certification.
- 8) A list of surgical procedures being performed at the facility. Any new procedures which are included in this list must be identified and are subject to approval in accordance with the requirements of Section 205.130.
- c) THE APPLICATION SHALL BE SIGNED BY THE APPLICANT AND SHALL INCLUDE A VERIFICATION form acknowledging the application to be true and complete and certifying that the applicant has knowledge of and understands the action required to comply with the Act and licensing requirements. THE FORM SHALL BE VERIFIED by a notary public. (Section 5 of the Act)

- d) The license renewal application shall be accompanied by A LICENSE RENEWAL FEE OF \$300. (Section 6 of the Act)

(Source: Emergency amendment at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

SUBPART C: PERSONNEL

Section 205.350 Laboratory Services
Emergency Ambulatory-Surgical-Treatment-Center

Each ambulatory surgical treatment center shall meet each have one of the following requirements:

- a) Comply with the requirements of the Department's rules entitled "Illinois Clinical Laboratories Code" (77 Ill. Adm. Code 450). a qualified medical technician who is certified by the American Society of Clinical Pathologists or is the holder of a letter;

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certificates or record from the Bureau of Quality Assurance of the Department of Health, Education, and Welfare that he/she has passed the Federal Proficiency Examination Program for Clinical Laboratory Technologists, to perform required laboratory procedures.

- b) Have a written agreement with a laboratory, licensed by the Department under the Department's rules entitled "Illinois Clinical Laboratories Code" (77 Ill. Adm. Code 450), to perform any required laboratory procedures which are not performed in the center.

(Source: Emergency amendment at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

SUBPART E: GENERAL PATIENT CARE

Section 205.520 Preoperative Care
Emergency

- a) Where medical evaluation, examination, and referral are made from a private physician's office, hospital, or clinic, pertinent records thereof shall be available and made part of the patient's clinical record at the time the patient is registered and admitted to the ambulatory surgical treatment center.
- b) A complete medical history shall be obtained and the physical examination shall be complete. A preanesthetic evaluation shall be completed specifically identifying any patient sensitivity or contraindications to anesthesia.
- c) A hemoglobin or hematocrit and examination of the urine for sugar, protein, and acetone shall be performed by a qualified laboratory technician prior to the following procedures:
 - 1) those performed with general anesthesia,
 - 2) those performed with intravenous sedation,
 - 3) those performed with spinal or epidural anesthesia,
 - 4) those performed with any other specific anesthesia technique designated by the consulting committee, and
 - 5) those performed to terminate pregnancy.

- d) Prior to procedures performed to terminate pregnancy, the physician shall establish the diagnosis of pregnancy by appropriate clinical evaluation and testing. In addition, the patient's blood Rh factor

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shall be determined.

ed) A written statement indicating informed consent and a signed authorization by the patient for the performance of the specific surgical procedure shall be procured and made part of the patient's clinical record.

fe) Surgical procedures shall not be performed on patient's having medical, surgical, or psychiatric conditions or complications as specified by the consulting committee in the facility's written policies.

gf) Prior to admission to the facility for a surgical procedure, the patient shall be informed of the following:

- 1) Patients who receive general anesthesia, intravenous sedation, spinal or epidural anesthesia, or any other specific anesthesia technique designated by the consulting committee, must not attempt to drive a motor vehicle immediately upon discharge from the facility.
- 2) Patients must make arrangements prior to admission for safe transportation from the facility upon discharge to return to home or to a similar environment.

(Source: Emergency amendment at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

Section 205.540 Postoperative Care
EMERGENCY

a) Patients shall be observed in the facility for a period of time sufficient to ensure that the patient is awake, physiologically stable, manifests no immediate postoperative complications, and is ready to return to home or to a similar environment. No patient shall be required to leave the center in less than one (1) hour following the procedures.

b) Rh factor sensitization prophylaxis shall be provided to all Rh negative patients following procedures performed to terminate pregnancy, in accordance with standard medical procedures.

cb) Patients in whom a complication is known or suspected to have occurred during or after the performance of a surgical procedure, shall be informed of such condition and arrangements made for treatment of the complication. In the event of admission to an inpatient facility a summary of care given in the ambulatory surgical treatment center concerning the suspected complication shall

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accompany the patient.

de) To insure availability of follow-up care at a licensed hospital, the ambulatory surgical treatment center shall provide written documentation of one of the following:

- 1) A transfer agreement with a licensed hospital within approximately fifteen (15) minutes travel time of the facility.
- 2) A statement that the medical director of the facility has full admitting privileges at a licensed hospital within approximately fifteen (15) minutes travel time and that he/she will assume responsibility for all facility patients requiring such follow-up care.

3) A statement that each staff physician, dentist, or podiatrist has admitting privileges in a licensed hospital within fifteen (15) minutes travel time of the facility.

ed) Written instructions shall be issued to all patients in accordance with the standards approved by the consulting committee of the ambulatory surgical treatment center and shall include the following:

- 1) Symptoms of complications associated with procedures performed.
- 2) Limitations and/or restrictions of activities of the patient.
- 3) Specific telephone number to be used by the patient, at anytime, should any complication or question arise.
- 4) A date for follow-up or return visit after the performance of the surgical procedure which shall be scheduled within six weeks.

fe) Patients shall be discharged only on the written signed order of a physician. The name, or relationship to the patient, of the person accompanying the patient upon discharge from the facility shall be noted in the patient's medical record.

g) Information on availability of family planning services shall be provided, when desired by the patient, to all patients undergoing a pregnancy termination procedure. When, in the physician's opinion, it is in the best interests of the patient and with the patient's consent, family planning services may be initiated prior to the discharge of the patient.

(Source: Emergency amendment at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

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SUBPART G: LIMITED PROCEDURE SPECIALTY CENTERS
 ADDITIONAL REQUIREMENTS FOR FACILITIES IN WHICH
 OBSTETRICAL/GYNECOLOGICAL PROCEDURES ARE PERFORMED

Section 205.710 Pregnancy Termination Specialty Centers ~~Abortions~~
 EMERGENCY

~~Abortions shall be provided to the public with the same standards of safety, effectiveness, and regard for patients' rights as any other health service.~~

- a) A facility will be considered a pregnancy termination specialty center if it meets each of the following conditions:

- 1) Procedures performed at the facility are limited to procedures to terminate pregnancy performed within 18 weeks assessed gestational age (beginning on the first day of the last menstrual period), and other gynecologic procedures related to the termination of pregnancy. Assessed gestational age may be determined by patient history or by clinical assessment.
- 2) The center does not use general, epidural, or spinal anesthesia for any of the procedures performed. If intravenous sedation is used, mechanical ventilation devices and intubation equipment must be available on site.

- 3) The program narrative and policies of the facility are limited to the performance of procedures to terminate pregnancy and other procedures related to the termination of pregnancy.

- b) The following exceptions and modifications of the requirements of this Part apply to pregnancy termination specialty centers. Pregnancy termination specialty centers shall comply with each of the requirements of this Part, unless specifically excepted or modified by the provisions of this subsection.

- 1) The initial and renewal application need only include the name, address, and telephone number of all owners, administrators, and medical directors of the center [in lieu of compliance with Section 205.120(b)(5) through (7) and Section 205.125(b)(5) through (7)]. However, the other information required in these provisions shall be maintained at the center and be available for inspection by the Department. The information shall include the original or notarized copies of credentials of all licensed or certified personnel.

- 2) Compliance with Section 205.540(d) is not required, if the medical director or a physician practicing at the facility has a

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professional working relationship or agreement, maintained in writing at the facility and verifiable by the Department, with a physician who does have admitting or practice privileges at a licensed hospital within 15 minutes from the facility and who will assume responsibility for all facility patients requiring such follow-up care.

- 3) The administrative and public areas of the facility are not required to comply with Section 205.1350.

- 4) A separate examination room is not required; however, adequate space shall be provided to accommodate any equipment necessary for examination, to perform examinations safely, and to allow unobstructed ingress and egress to and from the examination area [in lieu of compliance with Section 205.1360(a)(1)].

- 5) Each room in which procedures to terminate pregnancy are performed shall be at least 120 square feet in size with a minimum dimension of at least 10 feet. Exceptions may be made when the center demonstrates that the room size is adequate to accommodate the equipment required for the procedures, to facilitate the performance of the procedures safely, and to protect the patients and staff in the event of fire or other emergency [in lieu of compliance with Section 205.1360(b)(1)].

- 6) A communication system between the control station and each procedure room is not required [in lieu of compliance with Section 205.1360(b)(2)].

- 7) Not less than three recovery beds or lounge chairs shall be required for each procedure room. However, if the facility's narrative program provides that no more than two procedures per hour will be performed per procedure room, then only two recovery beds or lounge chairs will be required for each procedure room. A minimum of three feet shall be provided between each recovery bed or lounge chair and an unobstructed passageway of a minimum of four feet shall be provided at one end of each bed or chair [in lieu of compliance with Section 205.1360(c)(2) and (c)(7)].

- 8) The recovery area is not required to include a drug distribution station, charting facilities, nurses station, or storage space for supplies and equipment [in lieu of compliance with Section 205.1360(c)(3)]. However, the facility shall provide for direct visual supervision of the recovery area for all patients.

- 9) A toilet for patient use must be in the recovery area, or in a location which does not require patients to enter public areas

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- 19) Ceilings in procedure and recovery rooms must be cleanable, but are not required to be washable [in lieu of compliance with Section 205.1400(n)(1)].
- 20) The requirements for elevators in Section 205.1410(d)(1) do not apply.
- 21) Ventilation, air change, and air filter requirements do not apply; however, temperature shall be maintained in the facility between 68 and 80 degrees Fahrenheit [in lieu of compliance with Section 205.1540 and Table A].
- 22) The requirement for one duplex receptacle for each wall does not apply [in lieu of compliance with Section 205.1750(b)].

(Source: Section repealed, new Section adopted by emergency action at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

Section 205.720 Personnel (Repealed)
EMERGENCY

At least one registered professional nurse with postgraduate education or experience in obstetrical or gynecological nursing shall supervise and direct the nursing personnel and care of patients having obstetrical procedures.

AGENCY NOTE:--Procedures involving the pregnant uterus are subject to particular examinations and postoperative care requires a special knowledge on the part of nursing staff.

(Source: Emergency repealer at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

Section 205.730 General Patient Care (Repealed)
EMERGENCY

a) Examination

- 1) Prior to obstetrical procedures blood-Rh factor shall be determined by a qualified laboratory technician for every patient.
- 2) The physician performing an abortion procedure shall establish the diagnosis of pregnancy by appropriate clinical evaluation and testing prior to performing an abortion procedure.
- 3) Time shall be allowed between the initial examination and termination of pregnancy to permit the reporting to and

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or other patient care areas in order to gain access from the recovery area. This toilet may not be available for public use. A gray diverter valve is not required on the toilet in the recovery area, if a means of fluid waste disposal is provided at another location within the center [in lieu of compliance with Sections 205.1360(c)(4) and 205.1370(f)].

- 10) A control station for the operating suite is not required [in lieu of compliance with Section 205.1370(a)].
- 11) A scrub station is not required outside the procedure room, if the procedure room contains a sink with handwashing capabilities [in lieu of compliance with Section 205.1370(d)].
- 12) A separate soiled workroom is not required; however, facilities shall be provided for closed clean storage which prevents contamination by soiled materials, and for storage and handling of soiled linens and other soiled materials. These procedures shall be described in the center's narrative program [in lieu of compliance with Section 205.1370(e) and (g)].
- 13) Anesthesia and medical gas storage facilities are not required [in lieu of compliance with Section 205.1370(h) and (i)].
- 14) A one-way traffic pattern through staff change areas is not required, but space shall be provided for any changing or gowning which is required by the specific procedures which are being performed in accordance with the center's narrative program [in lieu of compliance with Section 205.1370(k)].
- 15) A change area for patients is not required [in lieu of compliance with Section 205.1370(l)].
- 16) A separate janitor's closet for the surgical suite is not required, if the janitor's closet for the center is centrally located and contains space for the storage of supplies needed for cleaning both the surgical and non-surgical areas of the center [in lieu of compliance with Section 205.1370(m)].
- 17) A minimum corridor width of five feet and a minimum door width of three feet shall be provided for all corridors and for all doors which are accessible to the public or through which patients may need to be transported in an emergency [in lieu of compliance with Section 205.1400(a)(1), (b)(2), and (b)(3)].
- 18) The requirements of Section 205.1400(d) for flush thresholds and expansion joint covers do not apply.

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reviewing-of-all-laboratory-tests-with-the-patient-by-the facility-physician

b) Counseling

- 1) Counseling shall be provided following disclosure to the patient of the diagnosis of pregnancy, and prior to performance of any surgical procedure--it shall be done individually and in a room designated for such use which shall not be the procedure room.

- 2) All facilities shall provide orientation training for counselors and insure that each counselor is qualified to:
 - A) Counseling shall be done by a person qualified to:

- i) discuss alternatives for dealing with a unwanted pregnancy;
 - ii) describe the procedures used in the facility;
 - iii) explain the risks and possible complications of each procedure;
 - iv) provide contraception information.

- B) Demonstration of such counseling qualifications shall be required by the Department.

- C) Documentation of orientation training shall be required by the Department.

- D) Counselors shall have no financial interest in the patient's decision.

- 3) Counseling shall include a discussion of alternatives, description of the procedure to be performed, explanation of risks and possible complications--contraceptive information may be provided postoperatively--Group counseling may be provided in addition to individual counseling--The patient's clinical record shall include documentation of the counseling received.

AGENCY NOTE--in the opinion of the Ambulatory Surgical Treatment Center Licensing Board--the patient should make a decision concerning the procedure in an atmosphere free from coercion--consequently, the Board believes this is best accomplished in a room separate and apart from the procedure

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room--The Board believes that it is difficult to reach a truly voluntary decision while the patient is undressed and on the procedure table.

(Source: Emergency repealer at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

Section 205.740 Preoperative Requirements (Repealed)

EMERGENCY

Abortions may be performed in an ambulatory surgical treatment center on only those patients with gestation up to and including 12 weeks commencing with ovulation rather than computed on the basis of the menstrual cycle, as determined by the physician; if the patient's medical condition permits. Abortions shall not be performed in an Ambulatory Surgical Treatment Center on those patients whose gestation exceeds 12 weeks.

(Source: Emergency repealer at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

Section 205.750 Postoperative Requirements (Repealed)

EMERGENCY

- a) Each obstetric/gynecologist service shall provide Rh factor sensitization prophylaxis to all Rh-negative patients according to standard medical procedures.
- b) Information on availability of family planning services shall be provided when desired by the patient--When in the physician's opinion, it is in the best interest of the patient and with the patient's consent, family planning services may be initiated prior to the discharge of the patient.

(Source: Emergency repealer at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

Section 205.760 Reports (Repealed)

EMERGENCY

- a) A report of each abortion procedure performed in an ambulatory surgical treatment center shall be made to the Department on forms provided by it--These reports shall be submitted not later than ten (10) days following the month in which the abortion was performed--Reports shall be submitted on procedures performed whether or not the patient was pregnant.
- b) Reports shall not be filled out in such a manner or at such a time as to avoid accurate reporting of omissions.

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- e) If the facility becomes aware of a complication following the submission of the original report, then a supplemental report shall be submitted to the Department.

(Source: Emergency repealer at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

Section 205.1380 Diagnostic Facilities

EMERGENCY

If the pre-admission evaluation tests are to be performed within the facility, the following services shall be provided:

- a) Radiographic suite, if radiography is provided in the center, shall contain the following:

- 1) film processing area
- 2) viewing and administration area
- 3) film storage facilities
- 4) toilet room with handwashing facilities, directly accessible from each fluoroscopy room without entering the general corridor area.
- 5) dressing area with convenient access to toilets.

- b) If laboratory testing is performed in the center which requires a permit or license under the Department's rules entitled "Illinois Clinical Laboratories Code" (77 Ill. Adm. Code 450), the laboratory area of the center laboratory suite shall contain the following minimum facilities:

- 1) Laboratory work counter with sink and vacuum, and electric services.
- 2) Lavatory or counter sink equipped for handwashing.
- 3) Storage cabinet or closet for any necessary laboratory supplies and equipment. This storage area may be combined with other storage areas in the center.
- 4) Specimen collection facilities equipped with a toilet and lavatory.
- 45) Blood collection facilities shall have space for a chair and work counter.

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(Source: Emergency amendment at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part:

Child Health Examination Code

2) Code Citation: 77 Ill. Adm. Code 665

3) Section Numbers: Emergency Action:

665.240 Amendments

4) Statutory Authority:

The School Code
Ill. Rev. Stat. 1987, ch. 122, par. 27-8.1 et seq.

5) Effective Date of Emergency Amendments:

March 30, 1990

6) If the Emergency Amendment is to Expire Before the End of the 150-day Period, Please Specify the Date on Which it is to Expire:

These emergency rules have no specified expiration date.

7) Date Filed in Agency's Principal Office:

March 30, 1990

8) Reason for Emergency:

The Department of Public Health finds that an emergency situation exists that threatens the public health and welfare. The emergency situation consists of the possible spread of the disease measles to beyond the recent record proportions over the past year if students are not immunized with a second dose of the measles vaccine. The complications from measles can cause encephalitis, hearing loss, death. Therefore, the prompt and clear announcement of the requirement that children must be immunized a second time against measles in order to attend school in the fall of 1990 should allow parents the time necessary to arrange for the proper immunizations and assist the Department in the control and containment of measles and decrease the morbidity of complications from the disease.

For the reasons stated above, the Department believes it is not only impossible, but also potentially detrimental to the health and welfare of the citizens of the State of Illinois for the Department to wait the time necessary to promulgate rules through the general rulemaking process.

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9) A Complete Description of the Subjects and Issues Involved:

These emergency rules modify the existing requirement that children receive a single vaccination with the live measles virus vaccine at fifteen months or older to require two vaccinations with the first being at least 12 months of age and the second no less than a month later. In addition, these emergency rules specify that a student entering the fifth grade for the first time after July 1990 must show proof of immunization with 2 doses of vaccine. The first dose must be at least 12 months and the second no less than a month later.

10) Are there any proposed amendments to this Part Pending? No.

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
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11) Statement of Statewide Policy Objectives:

This rulemaking should not create or expand a State mandate.

12) Information and Questions Regarding these Amendments shall be directed to:

Robert John Kane
Administrative Rules Coordinator
Illinois Department of Public Health
525 West Jefferson, Second Floor
Springfield, Illinois 62761

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

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NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER 1: MATERNAL AND CHILD HEALTH

SUBPART F: VISION EXAMINATION

PART 665

CHILD HEALTH EXAMINATION CODE

SUBPART A: GENERAL PROVISIONS

Section
665.100 Statutory Authority
665.110 General Considerations

SUBPART B: HEALTH EXAMINATION

Section
665.120 Health Examination Requirement

665.130 Signature of Physician
665.140 Time Examinations to be Conducted

665.150 Report Forms

665.160 Proof of Examination

665.210 Proof of Immunizations

665.220 Local School Authority

665.230 School Entrance

665.240 Basic Immunization

EMERGENCY

665.250 Proof of Immunity

665.260 Booster Immunizations

665.270 Compliance with the Law

665.280 Physician Statement of Immunity

SUBPART C: VISION AND HEARING SCREENING

Section

665.310 Vision and Hearing Screening

SUBPART D: DENTAL EXAMINATION

Section

665.410 Dental Examination Recommendation

665.420 Dental Examination

665.430 Dental Examination Record

665.440 Guidelines

SUBPART E: EXCEPTIONS

Section

665.510 Objection of Parent or Legal Guardian

665.520 Medical Objection

Section

665.610 Vision Examination Recommendation

665.620 Vision Examination

665.630 Vision Examination Report

665.640 Indigent Students

Appendix A Vision Examination Report

Appendix B Certificate of Child Health Examination

AUTHORITY: Implementing and authorized by Section 27-8.1 of The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 27-8.1).

SOURCE: Emergency rule adopted at 4 Ill. Reg. 38, p. 275, effective September 10, 1980, for a maximum of 150 days; emergency rule adopted at 4 Ill. Reg. 41, 176, effective October 1, 1980, for a maximum of 150 days; adopted at 5 Ill. Reg. 1403, effective January 29, 1981; codified at 8 Ill. Reg. 8921; amended at 11 Ill. Reg. 11791 effective June 29, 1987; amended at 13 Ill. Reg. 11565, effective July 1, 1989; amended at 13 Ill. Reg. 17047, effective November 1, 1989; emergency amendment at 14 Ill. Reg. 5617, effective March 30, 1990 for a maximum of 150 days.

Section 665.240 Basic Immunization

EMERGENCY

a) Diphtheria, Pertussis, Tetanus

1) Any child 5 years of age or younger entering school for the first time must show proof (dates, see Section 665.250(b)) of having received four or more doses of Diphtheria, Pertussis, Tetanus (DPT) with the last dose being a booster and having been received on or after the 4th birthday, but prior to school entrance; or within one year prior to school entrance. Individual doses in the series must have been received no less than four weeks apart.

2) Any child 6 years of age or older must show proof (dates, see Section 665.250(b)) of receiving three or more doses of DPT or Tetanus, Diphtheria (Td) with the last dose being a booster and having been received on or after the 4th birthday. Individual doses in the series must have been received no less than four weeks apart.

3) If 10 years have elapsed since the last booster, an additional booster is required.

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b) Polio

- 1) Any child 5 years of age or younger entering school for the first time must show proof (dates, see Section 665.250(b)) of having received three or more doses of Trivalent oral Polio Vaccine (TOPV) with the last dose being a booster and having been received on or after the 4th birthday but prior to school entrance. Individual doses in the series must have been received no less than six weeks apart.
- 2) Any child 6 years of age or older must show proof (dates, see Section 665.250(b)) of receiving three or more doses to TOPV with the last dose being a booster and having been received on or after the 4th birthday. Individual doses in the series must have been received no less than six weeks apart.
- 3) A series of inactivated polio virus vaccine (IPV) and appropriate boosters may, for an individual, be substituted for vaccination with TOPV at the direction of a physician.

c) Measles

- 1) Children who have had measles or have been immunized with one dose of live measles virus vaccine at fifteen months of age or older, or children who have had two doses of live measles virus vaccine, the first dose at least 12 months of age and the second dose no less than one month after the first, shall be considered immune.
- 2) Children entering the fifth grade for the first time after July of 1990 will be required to show evidence of having received two doses of live measles virus vaccine, the first dose at least 12 months of age and the second dose no less than one month after the first or other proof of immunity described in these rules.
- 3) Any child two years of age or older entering at any grade level must show proof (dates, see Section 665.250(b)) of receiving measles vaccine at 15 months of age or older. (Until school year 1981-82, twelve months of age is acceptable for those children entering kindergarten or first grade). Proof (dates) of disease, if verified by a physician, may be substituted for proof of vaccination. See Section 665.250(c).
- 42) If immunization was received prior to 1968, proof must be provided that a live virus vaccine was given.

d) Rubella, Mumps

- 1) All children 2 years of age or older entering school at any grade level must show proof (dates, see Section 665.250(b)) of receiving rubella vaccine on or after the 1st birthday. Proof of disease is not acceptable unless laboratory evidence is presented with blood titer of 1:16 (or equivalent titer) or greater.
- 2) Any child, two years of age or older, entering at any grade level must show proof (dates, see Section 665.250(b)) of receiving mumps vaccine at 12 months of age or older. Proof (dates) of disease if verified by physician, may be substituted for proof of vaccination.

(Source: Emergency Amendment at 14 Ill. Reg. 5617, effective March 30, 1990 for a maximum of 150 days)

DEPARTMENT OF LABOR

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of Part:

Prevailing Wage Hearing Procedures

2) Code Citation:

56 Ill. Adm. Code 100

3) Register Citation to Notice of Proposed Amendments:Date: January 12, 1990, 14 Ill. Reg. 10264) Date, Time and Location of Public Hearing:

April 23, 1990

10:00 a.m.

Illinois Department of Labor

#1 West Old State Capitol Plaza, Room 300

Springfield, Illinois 62701

5) Name and Address of Agency Contact Person:

Questions regarding the proposed amendments or the public hearing shall be directed to:

David H. Hayes, Manager

Conciliation & Mediation Division

Illinois Department of Labor

#1 West Old State Capitol Plaza, Room 300

Springfield, Illinois 62701

Telephone: 217/782-1710

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of the Part:

Emergency Medical Services Code

2) Code Citation:

77 Ill. Adm. Code 535

3) Register Citation to Notice of Proposed Amendments:

14 Ill. Reg. 1755 - February 2, 1990

4) Date, Time and Location of Public Hearing:

10:00 A.M.

April 23, 1990

Ground Floor Hearing Room

Illinois Department of Public Health

525 West Jefferson

Springfield, Illinois 62761

5) Other Pertinent Information:A Complete Description of the Subjects and Issues Involved:

The Emergency Medical Services program includes rules for the licensure of ambulances, the certification of ambulance personnel (EMTs) and the approval of EMS Systems. The proposed changes to these rules will clarify areas in which the Department and the Emergency Medical Services Council believed more specific language was needed.

In Section 535.10, the words "Ambulance Service Provider" have been added to the definition of "Ambulance Provider" in accordance with P.A. 86-439.

In Section 535.10, the definition of "Emergency Medical Technician - Paramedic" has been changed so that no sponsorship or employment shall be required for training or holding certification as an EMT-P in accordance with P.A. 85-1246.

In Section 535.100, language has been added so that ambulance service providers rather than vehicles can be licensed in accordance with P.A. 86-439.

Section 535.110 has been expanded to include provisions for nonrenewal, suspension or revocation of an ambulance license in addition to denial of license.

In Section 535.120, language was added to specify that applications for

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removal of licenses must be on a form furnished by the Department.

In Section 535.150 (a)(1) and (2), the federal agency citation has been corrected to read "the U.S. General Services Administration's".

In Section 535.150 (b)(1)(A)(iv), 3-point fasteners for patient litters are specified.

In Section 535.150 (b)(4)(M), the option of a lateral C-Spine and head immobilization device has been added to the approved equipment for ambulances.

In Section 535.150 (b)(5)(Q)(vi), skin condition has been added to the minimum information required on an ambulance run sheet.

In Section 535.150 (b)(5)(AA), non-porous disposable gloves have been added to the medical supplies required on an ambulance.

In Section 535.150 (b)(5)(BB), an isolation bag has been added to the medical supplies required on an ambulance.

In Section 535.150 (g)(1), a statement has been added that "Any operation of an ambulance while transporting a patient to a hospital shall be done in accordance with the requirements of the Act and this Part."

In Section 535.150 (g)(2), language has been changed to be more specific.

In Section 535.150 (g)(3), a list detailing the minimum physical conditions which must be recorded for each patient transported to a hospital has been added.

Section 535.150 (g)(4) has been reworded to be more specific.

Section 535.150 (g)(5) has been reworded for clarity.

In Section 535.200 (j), a list has been added which details those changes which shall be considered modifications of a System Program Plan.

In Section 535.210 (h)(5), a requirement that a Resource Hospital develop or approve ambulance run sheets has been added.

In Section 535.210 (i)(6), a requirement that a Resource Hospital develop a protocol for informing a person requesting an ambulance when the vehicle is responding outside its primary coverage area has been added.

In Section 535.210 (k)(20), a requirement that an ambulance provider participating in an EMS System must agree to follow the approved EMS policies and protocols of the System has been added.

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In Section 535.210 (m)(8)(L), "physician on the scene" was added to the list of issues for which medical-legal policies must be developed.

In Section 535.265 (b), language was added to allow the System Review Board to modify a suspension as well as affirm or reverse it. In the same Subsection, language was added to make the Board's decision binding unless it is reversed or modified by the State EMS Disciplinary Review Board.

In Section 535.265 (d), an inaccurate citation has been corrected.

Section 535.300 (a) has been reworded for clarity.

In Section 535.300 (b), applications for approval of training programs will be required to be submitted sixty days in advance of a class instead of thirty days.

Section 535.300 (c) has been changed to correct the citation of the U.S. DOT Curriculum.

Section 535.300 (g) has been reworded for clarity.

Sections 535.300 (h) and (i) have been reorganized and reworded for clarity.

Section 535.310 (a) has been changed to correct the citation of the U.S. DOT Curriculum.

Section 535.310 (b) has been reworded for clarity.

Sections 535.310 (a) and (b) have been reorganized and reworded for clarity.

In Section 535.310 (c), a requirement has been added that a candidate must hold a high school diploma or equivalent.

In Section 535.320, the Department's requirements for EMT-A certification have been reworded for clarity.

In Section 535.330 (a)(2)(A), the requirement of 20 hours of refresher training has been retained and the definition of "a current CPR certificate" has been expanded to detail what is specifically required.

Section 535.330 (b) has been reworded for clarity and moved to a new Section 535.335, EMT-A Continuing Education.

Section 535.335 has been added to specifically state approval requirements for continuing education.

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Section 535.350 provided a penalty for individuals who actively function as EMT-As without current certification. This penalty is based on Section 5520 of the Act; this Section of the Act, however, refers to ambulance operation and employers, not to individuals who may function as an EMT-A. Since the penalty clause is based on an incorrect interpretation of the Act, the Department has repealed it.

In Section 535.400 (a), a statement that an EMT-I program can only be conducted by an EMS system has been added for clarity.

Section 535.400 (c) training programs
of a class instead

In Section 535.400 (e), U.S. DOT Curriculum has been corrected; required have been spelled out. Redundant language has been deleted.

In Section 535.400 (e), "will" has been changed to "shall".

Section 535.400 (f) has been reworded for clarity.

Section 535.400 (h) contains the provisions formerly in (k), reworded for clarity.

Section 535.400 (j) requires that an EMS System vehicle be available to accommodate a candidate's field experience.

In Section 535.400 (k), language requiring a second student roster is deleted.

Section 535.410 (a) has been changed to correct the U.S. DOT citation.

In Section 535.410 (b), language has been added to permit the Department's designee to administer the State examination. In addition, the Subsection has been reworded for clarity.

Section 535.410 (c) setting forth requirements to be met prior to testing has been deleted.

Section 535.420 has been reorganized and reworded for clarity.

In Section 535.420 (a)(2), the description of the required field internship has been expanded.

In Section 535.430 (a)(2)(A), the requirement of 20 hours of refresher

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training has been deleted and the definition of "a current CPR certificate" has been expanded to detail specific requirements.

In Section 535.430 (b), procedures for denial of recertification have been set forth and language regarding continuing education has been moved to Section 535.432 (a).

A new Section 535.432 has been added which sets forth all requirements for EMT-I continuing education.

Section 535.440 (a)(6) and (c) have been reworded for clarity.

Section 535.440 (d) has been repealed.

Section 535.450 was based on an incorrect interpretation of the Act and has been repealed.

In Section 535.500 (a), a statement that an EMT-P program can only be conducted by an EMS System has been added for clarity.

Section 535.500 (b) has been reworded for clarity.

In Section 535.500 (c), applications for approval of training programs will be required to be submitted sixty days in advance of a class instead of thirty days.

In Section 535.500 (d), the citation of the U.S. DOT Curriculum has been corrected and redundant language has been deleted.

In Section 535.500 (e), redundant language has been deleted.

In Section 535.500 (g), language requiring employment or sponsorship has been deleted in accordance with P.A. 85-1246.

Section 535.500 (h) requires that an EMS System vehicle must be available for field experience.

In Section 535.500 (i), language requiring a second student roster has been deleted.

Section 535.500 (j) requires a Project Medical Director to submit a transaction card to IDPH for each EMT-P candidate.

In Section 535.510 (a), the U.S. DOT citation has been corrected.

In Section 535.510 (b), language has been added to permit the Department's designee to administer the State examination and the Subsection has been reworded for clarity.

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Section 535.510 (c) setting forth requirements for testing has been deleted.

Section 535.510 (d) contains redundant language and has been deleted.

Section 535.520 has been reorganized and reworded for clarity.

In Section 535.520 (a)(2), the description of the required field internship has been expanded.

In Section 535.520 (a)(3), an EMT-P is required to be functioning in rather than employed by an EMS System agency, and this must be verified by the Project Medical Director.

Section 535.520 (b) has been reworded for clarity.

Section 535.520 (c) has been deleted.

In Section 535.530 (a)(2)(A), language requiring that continuing education hours be earned in accordance with the System's policies has been added.

In Section 535.530 (a)(2)(B), the definition of "a current CPR certificate" has been expanded to detail specific requirements.

In Section 535.530 (a)(2)(C), language requiring employment by an EMS vehicle agency has been deleted.

In Section 535.530 (c), language regarding continuing education has been moved to Section 535.532.

Section 535.532 has been added which sets forth all requirements for EMT-P continuing education.

Section 535.540 (a)(6) and (c) have been reworded for clarity.

Section 535.540 (d) and (e) have been deleted.

Section 535.550 was based on an incorrect interpretation of the Act and has been repealed.

In Section 535.650 (a)(4), the statutory citation has been corrected.

Section 535.750 has been expanded to set forth all requirements for applying for a waiver and the Department's standards for granting waivers.

In Section 535.900, a typographical error has been corrected.

In Section 535.920, several typographical errors have been corrected.

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DRAFT MODIFICATION IN RESPONSE TO
PUBLIC COMMENT

Section 535.330, the Department will revise this section to state:

Section 535.330 EMT-A Recertification

a) In order to be recertified as an EMT-A,

1) The holder of a certificate as an EMT-A must file with the Department an application for renewal on a form prepared by the Department at least thirty (30) days prior to the two (2) year certification expiration date.

2) Written documentation must be provided to the Department by the Project Medical Director or the Regional EMS Coordinator regarding completion of the following requirements:

A) Successful completion of a ~~minimum~~ minimum of twenty (20) hours ~~attendance at refresher training programs.~~

B) A current CPR certificate *, which covers:

i) Adult one-rescuer CPR

ii) Adult foreign body airway obstruction management

iii) Pediatric one-rescuer CPR

iv) Pediatric foreign body airway obstruction management

v) Adult two-rescuer CPR

vi) Pediatric two-rescuer CPR

C) Forty-eight (4048) hours of continuing education, seminars and workshops. No more than twenty-five percent (25%) of those hours may be in the same subject.

b) Composition of refresher training and continuing education programs and qualifications of instructors shall be approved by the Department not less than sixty (60) days prior to the scheduled event. Program approval will be granted provided the program is conducted in accordance with guidelines of the Federal Department of Transportation's current national curriculum and based upon the program content relevancy for EMT-A's.

c) The certification of an EMT-A who has failed to file an application

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for renewal, or whose application for renewal has been denied by the Department, shall terminate on the day following the expiration date shown on the certificate.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 535.430, the Department will revise this Section to state:

Section 535.430 EMT-I Recertification

a) In order to be recertified as an EMT-I,

1) The holder of a certificate as an EMT-I must file with the Department an application for renewal on a form prepared by the Department at least thirty (30) days prior to the two (2) year certification expiration date.

A) The submission of a transaction card (Form No. IDPH-DP .01 1-85) by the Project Medical Director will satisfy the renewal application requirement for a certificate holder who has been recommended for recertification by the Project Medical Director.

B) A certificate holder who has not been recommended for recertification by the Project Medical Director must independently submit to the Department an application for renewal. The Project Medical Director shall provide the certificate holder with a copy of the appropriate form to be completed.

2) A written recommendation signed by the Project Medical Director must be provided to the Department regarding completion of the following requirements:

A) Successful completion of a ~~minimum of~~ twenty (20) hours attendance at refresher training programs.

B) A current CPR certificate which covers:

- i) Adult one-rescuer CPR
- ii) Adult foreign body airway obstruction management
- iii) Pediatric one-rescuer CPR
- iv) Pediatric foreign body airway obstruction management
- v) Adult two-rescuer CPR

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vi) Pediatric two-rescuer CPR.

- C) Forty-eight (48) hours of continuing education, seminars and workshops, twelve (12) hours of which were directed at the intermediate skills, plus any System continuing education requirements for EMT-Is approved to defibrillate.
- D) Employment by or functioning with a State approved EMS vehicle agency providing intermediate life support services.

c) Composition of refresher training programs and qualifications of instructors and continuing education programs shall be submitted to the Department for approval not less than sixty (60) days prior to the scheduled event. Program approval will be granted provided the program is conducted in accordance with guidelines of the Federal Department of Transportation's current national curriculum and contains material relevant to EMT-I's.

c) Upon denial of recommendation for recertification, the Project Medical Director shall submit all reasons for denial. This denial shall be in writing and sent to the EMT-I and the Department.

d) The certification of an EMT-I who has failed to file an application for renewal, or whose application for renewal has been denied by the Department, shall terminate on the day following the expiration date shown on the certificate.

e) At any time prior to the expiration of the current certificate, the EMT-I may revert to the EMT-A status for the remainder of the certification period. The EMT-I must make this request in writing to the Department. To recertify at the EMT-A level, the individual must meet the requirements for recertification found in Section 535.330.

Public Hearing Rules

The hearings will be for the sole purpose of gathering public comment on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing:

- 1. Each person presenting oral testimony shall provide to the Hearing Officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony shall be accepted without such written copy of the testimony being provided.
- 2. Each person presenting oral testimony will be limited to fifteen (15) minutes for the presentation of such testimony.

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3. No person will be recognized to speak for a second time until all persons wishing to testify have done so. All testimony shall conclude at the specific times except that an individual in the midst of presenting testimony shall be allowed to complete his/her testimony.
4. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the Hearing Officer may impose such other rules of procedure, including the order of call of witnesses, as he/she deems necessary.

6) Name and Address of Agency Contact Person:

Questions regarding these proposed AMENDMENTS or public hearings shall be directed to:

Mr. Robert John Kane
Administrative Rules Coordinator
Illinois Department of Public Health
525 West Jefferson, Second Floor
Springfield, Illinois 62761

DEPARTMENT OF REHABILITATION SERVICES

REGULATORY AGENDA

Part Heading: The Consultative Examination Process

Code Citation: 89 Ill. Adm. Code 840

A description of the rule(s): The amendments to these rules will reflect changes in federal regulations to be finalized within the next 3-6 months. The proposed rules will include the following:

- 1) Standards for determining when to purchase a consultative examination, the type of consultative examination to be purchased and monitoring procedures for both the purchase process and the consultative examination reports.
- 2) A requirement that every reasonable effort be made to obtain from the claimant's medical sources the medical evidence obtained from another source on a consultative basis.
- 3) Required consideration of all evidence available in a claimant's case record and development of a complete medical history covering at least the preceding 12 months in any case where a decision is made that the individual is not under a disability unless the disability is alleged to have begun less than 12 months before application.
- 4) A requirement barring use of any individual or entity, for example, as a medical consultant, review physician, consultative examination provider or diagnostic test facility, found guilty of professional misconduct.
- 5) Deletion of references to medical assessments and references instead to medical source statements as to what a person can still do despite his or her impairments.
- 6) Provisions indicating those instances when a treating source opinion will be conclusive, when it will be given preference and when neither conclusiveness nor preference will be granted.

Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(a), (b), and (k)).

Schedule of dates for hearings, meetings, or other opportunities for public participation:

Date agency anticipates submitting to the Administrative Code Division a Notice of Proposed Amendments for publication in the Illinois Register: September, 1990

Information concerning this regulatory agenda shall be directed to:

DEPARTMENT OF REHABILITATION SERVICES

REGULATORY AGENDA

Ms. Leigh Reed
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

Will this amendment affect small business? No.

Other pertinent information concerning this amendment:

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of March 26, 1990, through March 30, 1990, and have been scheduled for review by the Committee at its May, 1990 meeting. Other items not contained in this published list may also be considered by the Joint Committee at its May meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
5/11/90	Illinois Commerce Commission, Freight Bills and Bills of Lading (92 Ill. Adm. Code 1415)	12/15/89 13 Ill. Reg. 19339	May, 1990
5/11/90	Illinois Student Assistance Commission, Guaranteed Loan Programs (23 Ill. Adm. Code 2720)	2/9/90 14 Ill. Reg. 2300	May, 1990
5/11/90	Department of Public Health, The Illinois Formulary for the Drug Product Selection Program (77 Ill. Adm. Code 790)	1/19/90 14 Ill. Reg. 1220	May, 1990
5/15/90	Illinois Housing Development Authority, Affordable Housing Program (47 Ill. Adm. Code 360)	2/2/90 14 Ill. Reg. 1726	May, 1990
5/14/90	Secretary of State, Certificates of Title, Registration of Vehicles (92 Ill. Adm. Code 1010)	2/2/90 14 Ill. Reg. 1853	May, 1990
5/14/90	Pollution Control Board, Water Use Designations and Site Specific Water Quality Standards (35 Ill. Adm. Code 303)	11/17/89 13 Ill. Reg. 17661	May, 1990
5/14/90	Pollution Control Board, Effluent Standards (35 Ill. Adm. Code 304)	11/17/89 13 Ill. Reg. 17633	May, 1990

PROCLAMATION

90-117

MEDICAL LABORATORY WEEK

Whereas, the health of all Americans depends upon the educated minds and trained hands of laboratory professionals; and Whereas, laboratory tests are of the utmost importance in the diagnostic process of detecting, preventing, and treating diseases in mankind; and

Whereas, practice in modern medicine of the life-conserving standards we now enjoy would be impossible without scientific tests performed daily in the medical laboratory; and

Whereas, maintenance of these standards and progress toward improvement in the quality of laboratory services depend on the dedicated efforts of professional practitioners of laboratory medicine; and

Whereas, through this dedication, the medical laboratories of the United States have made a vital contribution to both the quality of patient care and the preservation of human life; Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 8-14, 1990, as MEDICAL LABORATORY WEEK in Illinois.

Issued by the Governor March 23, 1990.

Filed with the Secretary of State April 2, 1990.

90-118

MOTHER OF THE YEAR DAY

Whereas, the word "mother" represents many different meanings to each of us, but as a whole, often connotes patience, understanding, love, and devotion; and

Whereas, it is recognized that, to a considerable extent, those who rear us and give us guidance influence our character; and

Whereas, the Illinois Mothers Association has chosen Mrs. Edna May Moody Anderson of Weldon as Illinois' 1990 Mother of the Year; and

Whereas, Mrs. Anderson's commitment and leadership in church, charitable organizations, and community affairs is evident in her accomplishments. In addition, her son received a Presidential Citation for his distinguished service in the U.S. Navy, which further emphasizes her success as a mother;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 1, 1990, as MOTHER OF THE YEAR DAY in Illinois to show special recognition to all mothers, especially Mrs. Anderson.

Issued by the Governor March 23, 1990.

Filed with the Secretary of State April 2, 1990.

90-119

KIDS FITNESS WEEK/KIDS WORKOUT DAY

Whereas, only 50 percent of America's children get appropriate physical activity and only 35 percent of elementary school children nationwide take physical education classes daily; and

Whereas, if this trend continues, it could lead to a generation of adults who, in general, lack motivation and perform below their potential; and

Whereas, Athletic X-Press is a nationwide family athletic wear retailer that sponsors Kids Fitness Week and Kids Workout Day as part of its commitment to improving the quality of life in the communities they serve; and

Whereas, "Catch the Fitness X-Press," a free educational program that ties into Kids Fitness Week, is sponsored by Athletic X-Press and is designed to make youths more aware of the benefits of being physically fit; and

Whereas, Kids Workout Day is aimed at encouraging parents and teachers to make at least one change to improve their children's or students' daily fitness schedule;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 22-28, 1990, as KIDS FITNESS WEEK and April 27, 1990, as KIDS WORKOUT DAY in Illinois. I urge citizens to encourage our youths to be more aware of the need to be physically fit.

Issued by the Governor March 26, 1990.

Filed with the Secretary of State April 2, 1990.

90-120

MUNICIPAL CLERKS WEEK

Whereas, the municipal clerk is the oldest of public servants and a critical part of efficient and responsive local government committed to a professional standard of quality and integrity; and

Whereas, the accurate recording, careful safeguarding, and prompt retrieval of public records are vital functions, without which effective local government could not exist; and

Whereas, as local government has grown in responsibility and importance through the nation's history, so has the role of the municipal clerk. The clerk provides a direct link between the past, present, and future by preserving records for posterity and implementing governmental decisions; and

Whereas, municipal clerks also seek better and more effective ways to perform these critical responsibilities in light of the rapid technological advances of today's world;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim May 6-12, 1990, as MUNICIPAL CLERKS WEEK in Illinois, in recognition of these dedicated public servants and their role in ensuring the smooth operation of municipal

government.

Issued by the Governor March 26, 1990.
Filed with the Secretary of State April 2, 1990.

90-121

ORGAN AND TISSUE DONOR AWARENESS WEEK

Whereas, proven medical techniques make it possible to transplant kidneys, hearts, livers, bones, bone marrow, corneas, and skin in Illinois today; and

Whereas, many already have been given the gifts of hearing and sight, freedom from dialysis, and a normal, healthy future thanks to organ transplants, but many more wait in vain because there aren't enough organ donors; and

Whereas, although 466 organs were donated in Illinois last year, the need for organ donors continues to escalate; and

Whereas, anyone, regardless of age or condition, can become an organ donor. In Illinois, a witnessed signature on the back of a driver's license or on a uniform donor card verifies donor status;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 22-28, 1990, as ORGAN AND TISSUE DONOR AWARENESS WEEK in Illinois, and I urge everyone to seriously consider becoming an organ donor at this time.

Issued by the Governor March 26, 1990.
Filed with the Secretary of State April 2, 1990.

90-122

PATENT RECIPIENTS DAY

Whereas, Abraham Lincoln once said, "The Patent System added the fuel of interest to the fire of genius"; and

Whereas, April 1990 marks the 200th anniversary of the U.S. Patent System; and

Whereas, the National Invention Center is giving inventors special recognition on this anniversary and is also building the National Inventors Hall of Fame to draw national attention to the progress of innovation and technology in America; and

Whereas, native Illinoisans will be among the ranks of those to be honored in the National Inventors Hall of Fame;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 10, 1990, as PATENT RECIPIENTS DAY in Illinois to honor past and present inventors and to encourage future inventors.

Issued by the Governor March 26, 1990.
Filed with the Secretary of State April 2, 1990.

90-123

TUBEROUS SCLEROSIS MONTH

Whereas, Tuberous Sclerosis (TS) is a genetic disorder that affects an estimated 26,000 Illinoisans; and

Whereas, Victims of Tuberous Sclerosis may suffer from seizures, motor difficulties, developmental delay, mental retardation, hyperactivity, and behavioral abnormalities; and

Whereas, the National Tuberous Sclerosis Association is striving to improve the quality of life for TS victims by increasing public awareness about TS and continuing to search for a cause and a cure for TS;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim May 1990 as TUBEROUS SCLEROSIS MONTH in Illinois and urge citizens to learn more about the disease and to join in efforts to find its cause and cure.

Issued by the Governor March 26, 1990.
Filed with the Secretary of State April 2, 1990.

90-124

VARIETY CLUB CHILDREN'S CARNIVAL DAY

Whereas, the members and volunteers of the Variety Club Children's Charities have committed themselves to providing for the needs of children in Illinois; and

Whereas, an essential element of every youngster's development is an opportunity to experience the laughter and playfulness of childhood; and

Whereas, carnivals provide an exciting and appropriate outlet for children to enjoy themselves; and

Whereas, on March 3, 1990, at the Hyatt Regency Chicago, the Variety Club Children's Charities will host the First Children's Charity Carnival to give 3,000 of Illinois' abused, disabled, and underprivileged children a day filled with unbridled fun and laughter;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim March 3, 1990, as VARIETY CLUB CHILDREN'S CARNIVAL DAY in Illinois.

Issued by the Governor March 26, 1990.
Filed with the Secretary of State April 2, 1990.

90-125

ATHLETIC TRAINERS WEEK

Whereas, today's athletic trainers are well-trained professionals who are an integral part of the complete sports medicine program; and

Whereas, the trainers' duties consist of designing injury-prevention programs, administering first aid, providing treatments, and implementing reconditioning procedures as

directed by the team/family physician; and
Whereas, athletic trainers are recognized as registered professionals in Illinois; and

Whereas, they also should be recognized for the contributions they make to the safety, education, and well-being of athletes throughout our state from the elementary to the professional level; and

Whereas, athletic trainers continually strive to meet stringent education, experience, and examination requirements, further safeguarding our athletes from preventable injuries;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim July 8-15, 1990, as ATHLETIC TRAINERS WEEK in Illinois, to concur with the Prairie State Games, the premier athletic event for amateur athletes in our state.

Issued by the Governor March 27, 1990.
Filed with the Secretary of State April 2, 1990.

90-126

CONGRATULATES DR. JOSEPH ONDRUS

Whereas, since 1933, Dr. Joseph Ondrus has served the education community in many areas; and

Whereas, his service includes teaching, counseling, and coaching. In addition, he served as the assistant superintendent and superintendent of the Morton High School District 201; and

Whereas, accompanying his long list of professional achievements are a number of accomplishments in community affairs, including involvement in the Rotary Club, Cicero Family Service, and Cicero Community Chest;

Therefore, I, James R. Thompson, Governor of the State of Illinois, congratulate DR. JOSEPH ONDRUS on his dedication and numerous accomplishments in the areas of education and community affairs.

Issued by the Governor March 27, 1990.

Filed with the Secretary of State April 2, 1990.

90-127

DAYS OF REMEMBRANCE

Whereas, in January of 1939, Adolph Hitler proposed genocide of the Jewish race to the German Reichstag; and

Whereas, in the six years that followed, millions of Jews and other groups the Nazis judged to be lesser beings were persecuted, tortured, and killed; and

Whereas, most survivors of the Holocaust, even with the scars of that horror in their memory, carry on successfully in this country and inspire others with determination and courage to create a safer, more humane world for our future generations; and

Whereas, reflection on the Holocaust will definitely help in realizing this hope for a better society;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 22-29, 1990, as DAYS OF REMEMBRANCE in Illinois, urging citizens to recall those tragedies of 50 years ago and to not only learn the value of life in America from them, but to help in continuing toward the goal for a world of peace and solidarity.

Issued by the Governor March 27, 1990.

Filed with the Secretary of State April 2, 1990.

90-128

LAKE AND WATERSHED MANAGEMENT MONTH

Whereas, Illinois has over 2,900 lakes and 82,000 ponds that provide vital economic and social benefits including water supply, recreation, flood control, property value enhancement, tourism, and fish and wildlife habitat; and

Whereas, over 86 percent of the Illinois lakes assessed by the Illinois Environmental Protection Agency in 1989 exhibited impaired uses, primarily due to sedimentation, turbidity, excessive aquatic plant growth, degraded fisheries, and chemical contamination; and

Whereas, the quality and usability of Illinois lakes can most effectively be improved by implementation of comprehensive lake and watershed management strategies; and

Whereas, the Build Illinois Program has benefited 74 watersheds and prevented 1.5 million tons of soil erosion from Illinois farmlands; and

Whereas, the State of Illinois recently enacted the Illinois Lake Management Program Act, fostering development of enhanced educational, technical assistance, monitoring and research, and financial assistance programs targeted at comprehensive lake management;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 1990 as LAKE AND WATERSHED MANAGEMENT MONTH in Illinois, in recognition of the value of our water and soil resources; the need to protect and improve Illinois' lakes and ponds; and the excellent cooperation developed through Illinois' lake and watershed management programs.

Issued by the Governor March 27, 1990.

Filed with the Secretary of State April 2, 1990.

90-129

MEDICAL ASSISTANTS WEEK

Whereas, the health of all our citizens is directly affected by the many professional medical assistants who support and assist physicians in rendering their life-saving services; and
Whereas, many seek to maintain the highest standards of professional excellence by taking advantage of educational programs offered by professional organizations such as the

required and expected by the public on a daily basis; and Whereas, the State of Illinois recognizes the dedication and talents of public employees and volunteers as well as the importance of the services they render at all levels of government;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim May 7-13, 1990, as PUBLIC SERVICE RECOGNITION WEEK in Illinois, in appreciation of the vital contributions made daily by public employees and volunteers throughout our state and nation.

Issued by the Governor March 27, 1990.
Filed with the Secretary of State April 2, 1990.

90-130
PRE-WHITE HOUSE CONFERENCE DAYS

Whereas, the Illinois State Library is sponsoring the Illinois Pre-White House Conference on Libraries and Information Services in Chicago from April 4-6, 1990, with the theme "Literacy, Productivity, and Democracy--Setting the Illinois Information Agenda for the 21st Century";

Whereas, the purpose of the conference is to determine how Illinois libraries can meet the information needs of the 21st century; and

Whereas, the conference will focus on developing issues relating to the delivery and use of information in Illinois, studying new information technologies, and discussing Illinois libraries' role in providing information for literacy, productivity, and democracy; and

Whereas, the conference is open to citizens, librarians, businesses, public policy makers, educators, associations, and organizations concerned about the use and provision of data in Illinois;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 4-6, 1990, as PRE-WHITE HOUSE CONFERENCE DAYS in Illinois.

Issued by the Governor March 27, 1990.
Filed with the Secretary of State April 2, 1990.

90-131
PUBLIC SERVICE RECOGNITION WEEK

Whereas, public employees and volunteers have made great contributions to this society in serving areas such as health care, education, crime prevention, fire protection, conservation of energy and other resources, and national defense; and

Whereas, the effectiveness and efficiency of government depend in large measure on public employees and volunteers whose task it is to provide services of the quality and quantity

Whereas, 68 million adult Americans exceed their ideal weight by 5 percent or more; and

Whereas, 34 million adult Americans are obese, which means they exceed their ideal weight by 20 percent or more; and

Whereas, obesity is a serious national health problem that can result in serious illnesses, such as heart disease, high blood pressure, hypertension, strokes, diabetes, and some forms of cancer; and

Whereas, American Medical Association show that a comprehensive approach to weight loss and weight control must include a nutritionally balanced diet, behavior modification, and exercise; and

Whereas, 43 million adult Americans are currently making a serious attempt at weight loss and weight control;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 1990 as WEIGHT LOSS MONTH in Illinois and urge citizens to take appropriate, healthy action to maintain or achieve their ideal weight.

Issued by the Governor March 27, 1990.
Filed with the Secretary of State April 2, 1990.

90-132
WEIGHT LOSS MONTH

Whereas, John H. Struwe will celebrate his retirement from public service on March 30, 1990; and

Whereas, John H. Struwe has served the Illinois Secretary of State as a budget analyst for the past eight years; and

Whereas, John H. Struwe also served with distinction for 31 years as an accountant and corporate officer with Armbruster Manufacturing Company; and

Whereas, John H. Struwe has dedicated many hours toward civic improvement through such organizations as the Jaycees and the Laketown Community Association; and

90-133
JOHN H. STRUWE DAY

Whereas, John H. Struwe will celebrate his retirement from public service on March 30, 1990; and

Whereas, John H. Struwe has served the Illinois Secretary of State as a budget analyst for the past eight years; and

Whereas, John H. Struwe also served with distinction for 31 years as an accountant and corporate officer with Armbruster Manufacturing Company; and

Whereas, John H. Struwe has dedicated many hours toward civic improvement through such organizations as the Jaycees and the Laketown Community Association; and

Whereas, John H. Struwe has demonstrated his love and concern for animals through his 30-year association with the Animal Protective League and his memberships in the Illinois Capitol Kennel Club and the Professional Dog Handlers Guild; and Whereas, John H. Struwe has earned the respect and admiration of co-workers, friends, and those fortunate enough to make his acquaintance during his career;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim March 30, 1990, as JOHN H. STRUWE DAY in Illinois in recognition of his outstanding service and dedication to the citizens of our state.

Issued by the Governor March 28, 1990.

Filed with the Secretary of State April 2, 1990.

90-134

NATURALIZED AMERICAN CITIZEN MONTH

Whereas, over the course of history, America has been abundantly enriched by the wide diversity of individuals from many nations who have contributed significantly to the overall quality and strength of our great country; and Whereas, like other immigrants who have become American citizens through normal, lawful channels, these individuals have shown a great willingness to work and contribute to our nation while sharing in our economic well-being; and Whereas, lawful permanent residents would seek to apply for the unique and cherished benefit of American citizenship if they were made aware of its wonderful benefits, namely, the right to vote for the candidates of their choice, the right to hold most elected public offices, the right to be fully represented in the Congress of the United States by their designated senators and representatives, and the right to discuss any problem or concern with their elected officials at all levels of government; and Whereas, I commend the Immigration and Naturalization Service for taking an aggressive, proactive course to provide information and instruction on applying for United States Citizenship;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 1990 as NATURALIZED AMERICAN CITIZEN MONTH in Illinois and encourage eligible, lawful permanent residents of the United States to come forward and join us as recognized members of the United States of America.

Issued by the Governor March 29, 1990.

Filed with the Secretary of State April 2, 1990.

90-135

CALL BEFORE YOU DIG MONTH

Whereas, each year in Illinois, many lives are endangered, money and time wasted, and property destroyed because people fail to have underground facilities located prior to digging,

blasting, boring, or otherwise disturbing the earth's surface; and

Whereas, Illinois' notification services, Joint Utility Locating Information for Excavators (JULIE), which covers all Illinois except Chicago, and Chicago's Digger offer a free service to help the general public and professional excavators obtain information on the location of underground cables and mains; and

Whereas, since digging near underground facilities can be hazardous, JULIE and Digger agencies work to increase public awareness about the importance of calling before digging; and Whereas, these educational efforts increase worker and public safety, prevent damage to underground facilities, and ensure the continuity of utility and communications services; and

Whereas, JULIE and Digger provide a convenient means for anyone involved in excavation to ensure their personal safety and comply with Illinois common law regarding excavation;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 1990 as CALL BEFORE YOU DIG MONTH in Illinois.

Issued by the Governor March 30, 1990.

Filed with the Secretary of State April 2, 1990.

90-136

EARTHQUAKE AWARENESS WEEK

Whereas, earthquakes strike suddenly, without warning, and can destroy lives and property; and Whereas, on October 17, 1989, a major earthquake in California, measuring 7.1 on the Richter scale, caused injuries, deaths, and billions of dollars worth of damage; and

Whereas, several active earthquake faults run through Illinois, and the southernmost portion of the state is in close proximity to the New Madrid fault; and Whereas, since 1975, 21 earthquakes were epicentered in Illinois, and in June 1987 a quake measuring 5.0 was centered near Lawrenceville; and

Whereas, the Governor's Earthquake Preparedness Task Force and the Illinois Emergency Services and Disaster Agency are working to reduce earthquake hazards by promoting public awareness, emergency preparedness, and mitigation;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 1-7, 1990, as EARTHQUAKE AWARENESS WEEK in Illinois. I strongly urge all Illinois residents to become familiar with the hazards of earthquakes and to develop earthquake preparedness plans which minimize damages, injuries, and deaths attributed to the effects of earthquakes.

Issued by the Governor March 30, 1990.

Filed with the Secretary of State April 2, 1990.

ACTION CODES	
JCAR - Joint Committee on Administrative Rules	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Ordered by JCAR
C - Notice of Corrections	PP - Peremptory or Court ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR objections

EXAMPLE:

8 Ill. Adm. Code 285	III. Grain Insurance Act (P-18048/85; A-6818)					
TITLE	PART	ACTION CODE	PAGE NUMBER	PREVIOUS VOLUME	PAGE NUMBER	ACTION CODE
AGRICULTURE, DEPARTMENT OF						

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (312) 782-9786.

AGING, DEPARTMENT ON	89 Ill. Adm. Code 240	Community Care Program (P-1077) (P-13638/89; O-17144/89; R-1533) (P-13353/89; A-1233)
	89 Ill. Adm. Code 230	Older Americans Act Programs (P-14499/89; A-2308)
AGRICULTURE, DEPARTMENT OF	8 Ill. Adm. Code 110	Animal Diagnostic Laboratory Act (P-15911/89; A-1907) (P-16861/89; A-3416)
	8 Ill. Adm. Code 75	Bovine Brucellosis (P-15915/89; A-1911)
	8 Ill. Adm. Code 85	Diseased Animals (P-15926/89; A-1919)
	8 Ill. Adm. Code 80	III. Bovine Tuberculosis Eradication Act (P-15938/89; A-1931)
	8 Ill. Adm. Code 115	III. Pseudorabies Control Act (P-15942/89; A-1935) (P-19329/89; A-5065)
	8 Ill. Adm. Code 40	Livestock Auction Markets (P-15950/89; A-1943)
	8 Ill. Adm. Code 45	Marketing Center (Livestock) (P-15956/89; A-1949)
	8 Ill. Adm. Code 125	Meat & Poultry Inspection Act (P-16625/89; A-3424) (PP-4953)
	8 Ill. Adm. Code 850	Motor Fuel Standards Act (P-19837/89; A-5072)
	2 Ill. Adm. Code 700	Organizational Chart, Description, Rulemaking Procedure, & Programs (A-584) (A-4093)
	8 Ill. Adm. Code 5	Standardization of Agriculture Products (P-3711)
	8 Ill. Adm. Code 100	Swine Brucellosis (P-15960/89; A-1953)
	8 Ill. Adm. Code 105	Swine Disease Control & Eradication Act (P-15968/89; A-1961)
ATTORNEY GENERAL	86 Ill. Adm. Code 2000	III. Estate & Generation - Skipping Transfer Tax Act (P-4281)

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AUDITOR GENERAL	74 Ill. Adm. Code 420
Code of Regulations (P-1541)	
BANKS AND TRUST COMPANIES, COMMISSIONER OF	
	38 Ill. Adm. Code 395
	Corporate Fiduciary Branch Offices (P-2981)
	38 Ill. Adm. Code 396
	Corporate Fiduciary Subsidiaries (P-2985)
	38 Ill. Adm. Code 356
	Reimbursement to Banks for Financial Records (P-3303)
CARNIVAL-AMUSEMENT SAFETY BOARD	
	56 Ill. Adm. Code 6000
	Carnival & Amusement Ride Inspection Law (P-2989) (E-3235)
CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	
	80 Ill. Adm. Code 303
	Conditions of Employment (P-17169/89; A-3433)
	80 Ill. Adm. Code 2160
	Local Government Health Plan (P-4288)
	80 Ill. Adm. Code 310
	Pay Plan (P-427) (P-15141/89; A-615) (PP-1627) (P-17521/89; A-4455) (P-5269)
	80 Ill. Adm. Code 3000
	The Travel Regulation Council (P-1548)
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
	89 Ill. Adm. Code 431
	Confidentiality of Personal Information of Persons Served by the Dept. (P-4303)
	89 Ill. Adm. Code 410
	Licensing Standards for Youth Emergency Shelters (P-439) (E-999)
	89 Ill. Adm. Code 300
	Reports of Child Abuse & Neglect (P-20159/89; C-2684)
	89 Ill. Adm. Code 302
	Services Delivered by the Dept. (P-1) (P-2205) (P-14508/89; A-3438)
COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF	
	14 Ill. Adm. Code 525
	Economic Development Area Tax Increment Allocation Financing (P-13356/89; A-1968)
	14 Ill. Adm. Code 520
	Enterprise Zone Program (P-15975/89; A-3445)
	56 Ill. Adm. Code 2650
	Industrial Training Program (P-15977/89; A-5075)
	14 Ill. Adm. Code 550
	Local Tourism & Convention Bureau Program (P-17567/89; A-5091) (P-5294) (E-5565)
	47 Ill. Adm. Code 120
	State Administration of the Federal Community Services Block Grant Program (P-5296)
	56 Ill. Adm. Code 2610
	Training Services for the Disadvantaged (P-5017/89; A-1976)
	56 Ill. Adm. Code 2630
	Uniform Fiscal & Administrative Standards for the Job Training Partnership Act (P-5310)
COMMERCE COMMISSION, ILLINOIS	
	92 Ill. Adm. Code 1207
	Agents for Service of Process (P-15150/89; A-3033)
	93 Ill. Adm. Code 760
	Cellular Radio Exclusion (P-13358/89; A-3037)
	83 Ill. Adm. Code 281
	Energy Assistance (PR-4312)
	83 Ill. Adm. Code 900
	Joint Rules of the Ill. Commerce Commission & the Dept. of Energy & Natural Resources: Residential Conservation Plan (PR-12680/89; AR-624)
	92 Ill. Adm. Code 1300
	Minimum Rate (PR-14147/89; AR-3040)
	83 Ill. Adm. Code 445
	Purchase & Sale of Electric Energy from Qualified Solid Waste Energy Facilities (P-13129/89; A-626)
	92 Ill. Adm. Code 1710
	Relocation Towing (P-2721)
	83 Ill. Adm. Code 410
	Standards of Service for Electric Utilities (P-16211/89; A-3454)
	83 Ill. Adm. Code 500
	Standards of Service for Gas Utilities (P-16219/89; A-3463)
	83 Ill. Adm. Code 755
	Telecommunications Access for the Deaf (P-15157/89; A-3042)
	83 Ill. Adm. Code 757
	Telephone Assistance Program (P-2731)
	83 Ill. Adm. Code 505
	Uniform System of Accounts for Gas Utilities (P-13361/89; A-1605)
	83 Ill. Adm. Code 710
	Uniform System of Accounts for Telecommunications Carriers (P-1552)
COMMUNITY COLLEGE BOARD, ILLINOIS	
	23 Ill. Adm. Code 1501
	Administration of the Ill. Public Community College Act (P-14) (E-299) (P-3308)
	(P-16869/89; A-4126)
COMPTROLLER	
	2 Ill. Adm. Code 625
	Access to Information (A-186)